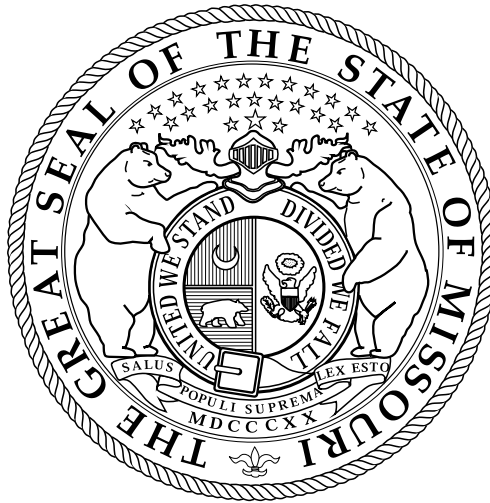


STATE OF MISSOURI

BOARD OF COSMETOLOGY AND BARBER EXAMINERS

STATUTES AND REGULATIONS



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The Honorable Michael L. Parson
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BOARD OF COSMETOLOGY AND BARBER EXAMINERS



STATE OF MISSOURI
Division of Professional Registration

This booklet is a publication of the Missouri Division of Professional Registration,
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If you desire an official publication of Chapter 329.010 - 329.265, you may visit
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Room, State Capitol Building, Jefferson City, Missouri 65101 (573) 751-2966.

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BARBERS STATUTES

CHAPTER 328

328.010. Definitions.

As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

- (1) "Barber", any person who is engaged in the capacity so as to shave the beard or cut and dress the hair for the general public shall be construed as practicing the occupation of "barber", and the said barber or barbers shall be required to fulfill all requirements within the meaning of this chapter;
- (2) "Barber establishment", that part of any building wherein or whereupon any occupation of barbering is being practiced including any space or barber chair rented within a licensed establishment by a person licensed under this chapter, for the purpose of rendering barbering services;
- (3) "Board", the board of cosmetology and barber examiners;
- (4) "Cross-over license", a license that is issued to any person who has met the licensure and examination requirements for both barbering and cosmetology;
- (5) "School of barbering", an establishment operated for the purpose of teaching barbering as defined in subdivision (1) of this section.

(RSMo 1939 § 10138, A.L. 2005 S.B. 280)

Prior revisions: 1929 § 13533; 1919 § 12174; 1909 § 1191

328.015. Board of barber examiners abolished, duties merged with board of cosmetology and barber examiners — effect on rules and existing licenses.

1. Upon appointment by the governor and confirmation by the senate of the board, the board of barber examiners shall be abolished and its duties and responsibilities shall merge into the board as established under section 329.015. The board shall be a continuance of and shall carry out the duties of the board of barber examiners.
2. Upon appointment by the governor and confirmation by the senate of the board, all of the powers, duties, and functions of the board of barber examiners shall be transferred to, conferred, and imposed upon the board. The board shall be the successor in every way to the powers, duties, and functions of the board of barber examiners.
3. Every act performed in the exercise of such powers, duties, and authorities by or under the authority of the board shall be deemed to have the same force and effect as if performed by the board of barber examiners under this chapter, including any amendments thereto effective with the passage of this section or prior to August 28, 2005.
4. All rules of the board of barber examiners and any amendments to such rules shall continue to be effective and shall be deemed to be duly adopted rules of the board until revised, amended, or repealed by the board. The board shall review such rules and shall adopt new rules as required for the administration of this chapter for barbers and cosmetologists.
5. Any person or entity licensed or provisionally licensed by the board of barber examiners prior to the appointment by the governor and confirmation by the senate of the board, shall be considered licensed in the same manner by the board.

(L. 2005 S.B. 280)

328.020. License required.

It shall be unlawful for any person to practice the occupation of a barber in this state, unless he or she shall have first obtained a license, as provided in this chapter.

(RSMo 1939 § 10127, A.L. 2005 S.B. 280)

Prior revisions: 1929 § 13522; 1919 § 12162; 1909 § 1179

(2018) Section requiring African-American braiders to be licensed does not violate Equal Protection Clause and is rationally related to the state's interest in public health and safety. Ndioba Niang v. Carroll, 879 F.3d 870 (8th. Cir).

328.025. Duplicate license, issued when.

If a license issued under this chapter has been destroyed, lost, mutilated beyond practical usage, or was never received, the licensee shall obtain a duplicate license from the board by appearing in person at the board's office or mailing, by certified mail, return receipt requested, a notarized affidavit stating that the license has been destroyed, lost, mutilated beyond practical usage, or was never received.

(L. 2018 H.B. 1500 merged with H.B. 1719)

328.070. Public examinations by board.

The board shall hold public examinations at least four times in each year, at such times and places as it may deem advisable, notice of such examinations to be published at least ten days prior to the date of the examination. The board shall publish its notice of the examination date, place, and time in any manner that it deems appropriate. In lieu of holding its own examinations for barber applicants, the board may contract with an outside entity qualified to examine applicants for licensure.

(RSMo 1939 § 10131, A.L. 2005 S.B. 280)

Prior revisions: 1929 § 13526; 1919 § 12167; 1909 § 1184

328.075. Barber apprentices, application, fee, requirements--rulemaking authority.

1. Any person desiring to practice as an apprentice for barbering in this state shall apply to the board, shall be registered as an apprentice with the board, and shall pay the appropriate fees prior to beginning their apprenticeship. Barber apprentices shall be at least seventeen years of age.

2. Any person desiring to act as an apprentice supervisor for barbering in this state shall first possess a license to practice the occupation of barbering, apply to the board, pay the appropriate fees, complete an eight-hour apprentice supervision instruction course certified by the board, and be issued a license as a barber apprentice supervisor prior to supervising barber apprentices.

3. The board may promulgate rules establishing the criteria for the supervision and training of barber apprentices.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

(L. 2004 S.B. 1122, A.L. 2005 S.B. 280, A.L. 2020 H.B. 2046)

328.080. Application for licensure, fee, examination, qualifications — approval of schools.

1. Any person desiring to practice barbering in this state shall make application for a license to the board and shall pay the required barber examination fee.

2. The board shall examine each qualified applicant and, upon successful completion of the examination and payment of the required license fee, shall issue the applicant a license authorizing him or her to practice the occupation of barber in this state. The board shall admit an applicant to the examination, if it finds that he or she:

(1) Is seventeen years of age or older;

(2) Is free of contagious or infectious diseases that are capable of being transmitted during the ordinary course of business for a person licensed under this chapter;

(3) Has studied for at least one thousand hours in a period of not less than six months in a properly appointed and conducted barber school under the direct supervision of a licensed instructor; or, if the applicant is an apprentice, the applicant shall have served and completed no less than two thousand hours under the direct supervision of a licensed barber apprentice supervisor;

(4) Is possessed of requisite skill in the trade of barbering to properly perform the duties thereof, including the preparation of tools, shaving, haircutting and all the duties and services incident thereto; and

(5) Has sufficient knowledge of the common diseases of the face and skin to avoid the aggravation and spread thereof in the practice of barbering.

3. The board shall be the judge of whether the barber school, the barber apprenticeship, or college is properly appointed and conducted under proper instruction to give sufficient training in the trade.

4. The sufficiency of the qualifications of applicants shall be determined by the board.

(RSMo 1939 § 10133, A.L. 1947 V. I p. 218, A. 1949 H.B. 2068, A.L. 1951 p. 740, A.L. 1959 H.B. 302, A.L. 1981 S.B. 16, A.L. 2004 S.B. 1122, A.L. 2005 S.B. 280, A.L. 2018 H.B. 1500 merged with H.B. 1719)

Prior revisions: 1929 § 13528; 1919 § 12169; 1909 § 1186

328.085. Reciprocity with other states — license without examination, when — fee.

1. The board shall grant without examination a license to practice barbering to any applicant who has practiced the trade in another state for at least two consecutive years. An applicant under this section shall pay the appropri-

ate application and licensure fees at the time of making application. A licensee who is currently under disciplinary action with another board of barbering shall not be licensed by reciprocity under the provisions of section 324.009.

2. Any person who has lawfully practiced or received training in another state who does not qualify for licensure without examination may apply to the board for licensure by examination. Upon application to the board, the board shall evaluate the applicant's experience and training to determine the extent to which the applicant's training and experience satisfies current Missouri licensing requirements and shall notify the applicant regarding his or her deficiencies and inform the applicant of the action which he or she must take to qualify to take the examination.

3. The applicant for licensure under this section shall pay a fee equivalent to the barber examination fee.

(L. 1981 S.B. 16, A.L. 2005 S.B. 280, A.L. 2018 S.B. 840)

328.090. Barber schools--examinations for teaching.

Any person desiring to teach barbering in this state in a barber school, college or barber shop must first possess a license to practice the occupation of barbering and make application to the board for an examination as a teacher or instructor in said occupation and shall pay the required instructor examination fee. The board shall examine such applicant and after finding that he or she is duly qualified to teach said occupation, the board shall issue to him or her a license entitling him or her to teach barbering in this state, subject to all the provisions of this chapter. Holders of licenses to teach barbering shall, on or before the expiration of their respective licenses, make application for the renewal of same, and shall in each case pay the instructor renewal fee. Should any person holding a license to teach barbering fail to renew same within the time prescribed herein, such person shall be required to pay a reinstatement fee in addition to the regular license fee provided for herein. Any person failing to renew his or her license to teach barbering for a period not exceeding two years may reinstate said license upon the payment of the renewal fee in addition to the reinstatement fee, but any person failing to renew his or her license to teach barbering for a period exceeding two years and desiring to be licensed as a teacher of barbering in this state will be required to pass a satisfactory examination as to his or her qualifications to teach barbering and shall pay the instructor examination fee.

(RSMo 1939 § 10133, A.L. 1947 V. I p. 218, A. 1949 H.B. 2068, A.L. 1951 p. 740, A.L. 1981 S.B. 16, A.L. 2005 S.B. 280)

328.110. Application for renewal of license--fees.

1. Every person engaged in barbering shall on or before the renewal date apply for the renewal of his or her license.

2. Each application for renewal shall state the number of the licensee's expiring license, and be accompanied by his or her renewal fee. Any person holding a license as a barber, except as herein provided, who fails to apply for renewal within two months of the expiration date of his or her license, shall pay a reinstatement fee in addition to the regular license renewal fee. Any person who fails to renew his or her license, except as herein provided, for a period not exceeding two years may reinstate his or her license upon payment of the license renewal fee for each delinquent year in addition to the reinstatement fee prescribed herein, but any barber, except as herein provided, who fails to renew his or her license for a period exceeding two years but less than five years and desires to be licensed as a barber in this state will be required to pass the practicum portion of the state's licensing examination as to his or her qualifications to practice barbering and shall pay the barber examination fee.

3. A holder of a barber license who has been honorably discharged from the United States Armed Forces, and has not renewed his or her license as herein provided, shall, upon his or her return to barbering within one year from date of honorable discharge, pay one dollar for renewal of same.

(RSMo 1939 § 10132, A.L. 1945 p. 592, A.L. 1947 V. I p. 218, A. 1949 H.B. 2068, A.L. 1951 p. 740, A.L. 1967 p. 442, A.L. 1969 H.B. 683, A.L. 1981 S.B. 16, A.L. 2003 H.B. 358, A.L. 2005 S.B. 280)
Prior revision: 1929 § 13527

328.115. Barber establishments, licensure requirements--sanitary regulations, noncompliance, effect--renewal of license, fee--delinquent fee.

1. The owner of every establishment in which the occupation of barbering is practiced shall obtain a license for such establishment issued by the board before barbering is practiced therein. A new license shall be obtained for a barber establishment within forty-five days when the establishment changes ownership or location. The state inspector shall inspect the sanitary conditions required for licensure, established under subsection 2 of this section, for an establishment that has changed ownership or location without requiring the owner to close business or deviate in any way from the establishment's regular hours of operation.

2. The board shall issue a license for a establishment upon receipt of the license fee from the applicant if the board finds that the establishment complies with the sanitary regulations adopted pursuant to section 329.025. All barber establishments shall continue to comply with the sanitary regulations. Failure of a barber establishment to comply with the sanitary regulations shall be grounds for the board to file a complaint with the administrative hearing commission to revoke, suspend, or censure the establishment's license or place the establishment's license on probation.

3. The license for a barber establishment shall be renewable. The applicant for renewal of the license shall on or before the renewal date submit the completed renewal application accompanied by the required renewal fee. If the renewal application and fee are not submitted within thirty days following the renewal date, a penalty fee plus the renewal fee shall be paid to renew the license. If a new establishment opens any time during the licensing period and does not register a license before opening, there shall be a delinquent fee in addition to the regular fee. The license shall be kept posted in plain view within the barber establishment at all times.

(L. 1981 S.B. 16, A.L. 2005 S.B. 280, A.L. 2006 S.B. 934, A.L. 2009 S.B. 296)

328.120. Barber school licenses, fee--requirements for operation--rulemaking, generally, this chapter--procedure.

1. Any firm, corporation or person may make application to the board for a license to own and operate a barber school or college on the form prescribed by the board. Every barber school or college in which the occupation of barbering is taught shall be required to obtain a license from the board prior to opening. The license shall be issued upon approval of the application by the board, the payment of the required fees, and the board's determination that the applicant meets all other requirements of this chapter and any rules promulgated thereunder. The license shall be kept posted in plain view within the barber school or college at all times.

2. A barber school or college license renewal application and fee shall be submitted on or before the renewal date of any school or college license issued under this section. If the barber school or college license renewal fee is not paid on or before the renewal date, a late fee shall be added to the regular license renewal fee.

3. The board shall promulgate rules and regulations regarding the course of study in a barber school or college, and may revoke any license issued hereunder for any violation of the provisions of this section or rule promulgated pursuant to this section. The board shall follow the procedure prescribed by chapter 621 to revoke a barber school license. Licenses shall not be restricted to any one group or person but shall be granted to any reasonably qualified person or group under a fair and nondiscriminating method of determination.

4. There shall be not less than one teacher or instructor for every fifteen students in any barber school or college holding a license under this section.

5. The barber school or college shall immediately file with the board the name and age of each student entering the school, and the board shall cause the same to be entered in a register kept for that purpose. A registration fee shall be paid by the student.

6. The barber school or college shall certify to the board the names of all students who successfully completed a course of study approved by the board and consisting of at least one thousand hours of study under the direct supervision of a licensed instructor in a period of not less than six months.

7. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

(RSMo 1939 § 10134, A.L. 1947 V. I p. 218, A.L. 1951 p. 740, A.L. 1959 H.B. 302, A.L. 1981 S.B. 16, A.L. 1993 S.B. 52, A.L. 1995 S.B. 3, A.L. 2005 S.B. 280)

Prior revisions: 1929 § 13529; 1919 § 12170; 1909 § 1182

328.130. Board to furnish license--duty of holder.

The board shall issue a printed license to each person successfully meeting the board's requirements for licensure, which shall be evidence the holder thereof is entitled to practice the occupation of barbering in this state. The licensee shall post his or her license in a conspicuous place in front of his or her working chair where it may be readily seen by all persons whom he or she may serve.

(RSMo 1939 § 10135, A.L. 1981 S.B. 16, A.L. 2005 S.B. 280)

Prior revisions: 1929 § 13530; 1919 § 12171; 1909 § 1188

328.150. Denial, revocation, or suspension of certificate, grounds for.

1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered his certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice under this chapter;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit.

(RSMo 1939 § 10137, A.L. 1951 p. 740, A.L. 1981 S.B. 16, A.L. 2009 S.B. 296, A.L. 2020 H.B. 2046)

Prior revisions: 1929 § 13532; 1919 § 12173; 1909 § 1190

328.160. Penalty for violation of provisions of chapter.

Any person practicing the occupation of barbering without having obtained a license as provided in this chapter, or willfully employing a barber who does not hold a valid license issued by the board, managing or conducting a barber school or college without first securing a license from the board, or falsely pretending to be qualified to practice as a barber or instructor or teacher of such occupation under this chapter, or failing to keep any license required by this chapter properly displayed or for any extortion or overcharge practiced, and any barber college, firm, corporation or person operating or conducting a barber college without first having secured the license required by

this chapter, or failing to comply with such sanitary rules as the board prescribes, or for the violation of any of the provisions of this chapter, shall be deemed guilty of a class C misdemeanor. Prosecutions under this chapter shall be initiated and carried on in the same manner as other prosecutions for misdemeanors in this state.

(RSMo 1939 § 10139, A.L. 1981 S.B. 16, A.L. 2005 S.B. 280, A.L. 2009 S.B. 296)

Prior revisions: 1929 § 13534; 1919 § 12175; 1909 § 1192

COSMETOLOGY STATUTES

CHAPTER 329

329.010. Definitions. — As used in this chapter, unless the context clearly indicates otherwise, the following words and terms mean:

(1) “Accredited school of cosmetology or school of manicuring”, an establishment operated for the purpose of teaching cosmetology as defined in this section and meeting the criteria set forth under 34 C.F.R. Part 600, Sections 600.1 and 600.2;

(2) “Apprentice” or “student”, a person who is engaged in training within a cosmetology establishment or school, and while so training performs any of the practices of the classified occupations within this chapter under the immediate direction and supervision of a licensed cosmetologist or instructor;

(3) “Board”, the state board of cosmetology and barber examiners;

(4) “Cosmetologist”, any person who, for compensation, engages in the practice of cosmetology, as defined in subdivision (5) of this section;

(5) “Cosmetology” includes performing or offering to engage in any acts of the classified occupations of cosmetology for compensation, which shall include:

(a) “Class CH - hairdresser” includes arranging, dressing, curling, singeing, waving, permanent waving, cleansing, cutting, bleaching, tinting, coloring or similar work upon the hair of any person by any means; or removing superfluous hair from the body of any person by means other than electricity, or any other means of arching or tinting eyebrows or tinting eyelashes. Class CH - hairdresser also includes any person who either with the person's hands or with mechanical or electrical apparatuses or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams engages for compensation in any one or any combination of the following: massaging, cleaning, stimulating, manipulating, exercising, beautifying or similar work upon the scalp, face, neck, arms or bust;

(b) “Class MO - manicurist” includes cutting, trimming, polishing, coloring, tinting, cleaning or otherwise beautifying a person's fingernails, applying artificial fingernails, massaging, cleaning a person's hands and arms; pedicuring, which includes cutting, trimming, polishing, coloring, tinting, cleaning or otherwise beautifying a person's toenails, applying artificial toenails, massaging and cleaning a person's legs and feet;

(c) “Class CA - hairdressing and manicuring” includes all practices of cosmetology, as defined in paragraphs (a) and (b) of this subdivision;

(d) “Class E - estheticians” includes the use of mechanical, electrical apparatuses or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams, not to exceed ten percent phenol, engages for compensation, either directly or indirectly, in any one, or any combination, of the following practices: massaging, cleansing, stimulating, manipulating, exercising, beautifying or similar work upon the scalp, face, neck, ears, arms, hands, bust, torso, legs or feet and removing superfluous hair by means other than electric needle or any other means of arching or tinting eyebrows or tinting eyelashes, of any person;

(6) “Cosmetology establishment”, that part of any building wherein or whereupon any of the classified occupations are practiced including any space rented within a licensed establishment by a person licensed under this chapter, for the purpose of rendering cosmetology services;

(7) “Cross-over license”, a license that is issued to any person who has met the licensure and examination requirements for both barbering and cosmetology;

(8) “Hair braider”, any person who, for compensation, engages in the practice of hair braiding;

(9) “Hair braiding”, in accordance with the requirements of section 329.275, the use of techniques that result in tension on hair strands or roots by twisting, wrapping, waving, extending, locking, or braiding of the hair by hand or mechanical device, but does not include the application of dyes, reactive chemicals, or other preparations to alter the color of the hair or to straighten, curl, or alter the structure of the hair;

(10) “Hairdresser”, any person who, for compensation, engages in the practice of cosmetology as defined in paragraph (a) of subdivision (5) of this section;

(11) “Instructor”, any person who is licensed to teach cosmetology or any practices of cosmetology pursuant to this chapter;

(12) “Manicurist”, any person who, for compensation, engages in any or all of the practices in paragraph (b) of subdivision (5) of this section;

(13) “Parental consent”, the written informed consent of a minor's parent or legal guardian that must be obtained prior to providing body waxing on or near the genitalia;

(14) “School of cosmetology” or “school of manicuring”, an establishment operated for the purpose of teaching cosmetology as defined in subdivision (5) of this section.

(RSMo 1939 § 9812, A.L. 1979 H.B. 140, A.L. 1995 S.B. 292, A.L. 2001 H.B. 567, A.L. 2004 H.B. 1622, A.L. 2005 S.B. 280, A.L. 2018 H.B. 1500 merged with H.B. 1719)

Prior revision: 1929 § 9091

329.015. Board of cosmetology and barber examiners created, duties and responsibilities--appointment of members, terms, qualifications.

1. There is hereby created and established a "Board of Cosmetology and Barber Examiners" for the purpose of licensing all persons engaged in the practice of cosmetology, manicuring, esthetics, and barbering, including but not limited to shaving or trimming the beard or cutting the hair; and to fulfill all other duties and responsibilities delegated by chapter 328 as it pertains to barbers and this chapter as it pertains to cosmetologists. The duties and responsibilities of the board of cosmetology and barber examiners as such duties and responsibilities pertain to barbers and cosmetologists shall not take full force and effect until such time as the governor appoints the members of the board of cosmetology and barber examiners and the appointments are confirmed by the senate. At such time, the powers and duties of the board of barber examiners and the state board of cosmetology shall be merged into the board under section 329.023.

2. The governor shall appoint members to the board by and with the advice and consent of the senate. The board shall consist of eleven members each of whom are United States citizens and who have been residents of this state for at least one year immediately preceding their appointment. Of these eleven members, three shall be licensed cosmetologists holding a Class CA license classification, one shall be an accredited cosmetology school owner as defined in section 329.010, one shall be the owner of a school licensed under subsection 1 of section 329.040, one shall be a cosmetologist with a license of any type of cosmetology classification, three shall be licensed barbers, and two shall be voting public members. All members, except the public members and the accredited cosmetology school owner member, shall be cosmetologists and barbers duly registered as such and licensed under the laws of this state and shall have been actively engaged in the lawful practice of their profession for a period of at least five years immediately preceding their appointment. All members of the board, including public members and the accredited cosmetology school owner member, shall be chosen from lists submitted by the director of the division of professional registration.

3. Upon the appointment of the initial board members, at least two cosmetologist members and two barber members shall be appointed by the governor to serve a term of four years; two cosmetologist members, one barber member and a public member shall be appointed to serve a term of three years, and the remaining members of the initial board shall be appointed for a term of two years. Thereafter, all members shall be appointed by the governor by and with the advice and consent of the senate to serve four-year terms. The governor shall appoint members to fill any vacancies, whether it occurs by the expiration of a term or otherwise; provided, however, that any board member shall serve until his or her successor is appointed and duly qualified. No person shall be eligible for reappointment that has served as a member of the board for a total of twelve years.

4. At the time of appointment, the public members shall be citizens of the United States, residents of this state for a period of at least one year immediately preceding their appointment, and a registered voter. The public members and the spouse of such members shall be persons who are not and never were a member of any profession licensed or regulated by the board. The public members and the spouse of such members shall be persons who do not have and never have had a material financial interest in the provision of the professional services regulated by the board, or an activity or organization directly related to any professions licensed or regulated by the board. The duties of the public members and the accredited school owner member shall not include the determination of the technical requirements to be met for licensure, or whether any person meets such technical requirements, or of the technical competence or technical judgment of a licensee or a candidate for licensure.

5. Any member who is a school owner shall not be allowed access to the testing and examination materials nor shall any such member be allowed to attend the administration of the examinations, except when such member is being examined for licensure.

6. The members of the board shall receive as compensation for their services the sum set by the board not to exceed seventy dollars for each day actually spent in attendance at meetings of the board plus actual and necessary expenses.

(L. 2005 S.B. 280)

329.023. Board of cosmetology abolished, duties transferred to board of cosmetology and barber examiners--effect on rules and existing licenses.

1. Upon appointment by the governor and confirmation by the senate of the board, the state board of cosmetology is abolished and its duties and responsibilities shall merge into the board as established under section 329.015. The board shall be a continuance of and shall carry out the duties of the state board of cosmetology.

2. Upon appointment by the governor and confirmation by the senate of the board, all of the powers, duties, and functions of the state board of cosmetology are transferred to, conferred, and imposed upon the board. The board shall be the successor in every way to the powers, duties, and functions of the state board of cosmetology.

3. Every act performed in the exercise of such powers, duties, and authorities by or under the authority of the board shall be deemed to have the same force and effect as if performed by the state board of cosmetology under this chapter, including any amendments thereto effective with the passage of this law or prior to August 28, 2005.

4. All rules and regulations of the state board of cosmetology and any amendments thereto shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the board until revised, amended, or repealed by the board. The board shall review such rules and regulations and shall adopt new rules as required for the administration of the licensure law for barbers and cosmetologists.

5. Any person or entity licensed or provisionally licensed by the state board of cosmetology prior to the appointment by the governor and confirmation by the senate of the board, shall be considered licensed in the same manner by the board of cosmetology and barber examiners.

(L. 2005 S.B. 280)

329.025. Powers of the board, meetings — rulemaking authority.

1. The board shall have power to:

(1) Prescribe by rule for the examination of applicants for licensure to practice the classified occupations of barbering and cosmetology and issue licenses;

(2) Prescribe by rule for the inspection of barber and cosmetology establishments and schools and appoint the necessary inspectors and examining assistants;

(3) Prescribe by rule for the inspection of establishments and schools of barbering and cosmetology as to their sanitary conditions and to appoint the necessary inspectors and, if necessary, examining assistants;

(4) Set the amount of the fees that this chapter and chapter 328, authorize and require, by rules promulgated under section 536.021. The fees shall be set at a level sufficient to produce revenue that shall not substantially exceed the cost and expense of administering this chapter and chapter 328;

(5) Employ and remove board personnel, as set forth in subdivision (4) of subsection 11 of section 324.001, including an executive secretary or comparable position, inspectors, investigators, legal counsel and secretarial support staff, as may be necessary for the efficient operation of the board, within the limitations of its appropriation;

(6) Elect one of its members president, one vice president, and one secretary with the limitation that no single profession can hold the positions of president and vice president at the same time;

(7) Promulgate rules necessary to carry out the duties and responsibilities designated by this chapter and chapter 328;

(8) Determine the sufficiency of the qualifications of applicants; and

(9) Prescribe by rule the minimum standards and methods of accountability for the schools of barbering and cosmetology licensed under this chapter and chapter 328.

2. The board shall create no expense exceeding the sum received from time to time from fees imposed under this chapter and chapter 328.

3. A majority of the board, with at least one representative of each profession being present, shall constitute a quorum for the transaction of business.

4. The board shall meet not less than six times annually.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this chapter and chapter 328 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

(L. 2005 S.B. 280, A.L. 2008 S.B. 788, A.L. 2018 S.B. 975 & 1024 Revision)

329.028. Board of cosmetology and barber examiners fund created, use of moneys.

1. There is hereby created in the state treasury a fund to be known as the “Board of Cosmetology and Barber Examiners Fund”, which shall consist of all moneys collected by the board. All fees provided for in this chapter and chapter 328 shall be payable to the director of the division of professional registration, who shall keep a record of the account showing the total payments received and shall immediately thereafter transmit them to the department of revenue for deposit in the state treasury to the credit of the board of cosmetology and barber examiners fund. All the salaries and expenses for the operation of the board shall be appropriated and paid from such fund.

2. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred

and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule license renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year.

(L. 2005 S.B. 280, A.L. 2008 S.B. 788, A.L. 2010 H.B. 1516 Revision merged with H.B. 1965)

329.030. License required.

It is unlawful for any person in this state to engage in the occupation of cosmetology or to operate an establishment or school of cosmetology, unless such person has first obtained a license as provided by this chapter.

(RSMo 1939 § 9810, A.L. 1995 S.B. 292)

Prior revision: 1929 § 9089

(2018) *Section requiring African-American braiders to be licensed does not violate Equal Protection Clause and is rationally related to the state's interest in public health and safety. Ndioba Niang v. Carroll, 879 F.3d 870 (8th. Cir).*

329.032. Exemption from requirements, when.

1. Nothing in this chapter shall apply to hairdressing, manicuring, or facial treatments given *in the home to members of a person's family or friends* for which no charge is made.

2. Nothing in this chapter or chapter 328, except for the provisions of sections 329.010 and 329.275, shall apply to persons engaged in the practice of hair braiding who have met the requirements in section 329.275.

(L. 2018 H.B. 1500 merged with H.B. 1719)

... This language does not appear in H.B. 1500, 2018.

329.033. Duplicate license, issued when.

If a license issued under this chapter has been destroyed, lost, mutilated beyond practical usage, or was never received, the licensee shall obtain a duplicate license from the board by appearing in person at the board's office or mailing, by certified mail, return receipt requested, a notarized affidavit stating that the license has been destroyed, lost, mutilated beyond practical usage, or was never received.

(L. 2018 H.B. 1500 merged with H.B. 1719)

329.034. Shampooing — no license required, when.

Notwithstanding any other provision of law, the division of professional registration shall not require any person who engages solely in shampooing under the supervision of a licensed barber or cosmetologist to be licensed as a barber or cosmetologist. For purposes of this section, "shampooing" means the act of washing or cleansing hair with shampoo for compensation.

(L. 2021 H.B. 273)

329.035. Person employed in retail cosmetic sales, definition — board, rules, inspection.

1. For the purposes of this section, "person employed in retail cosmetic sales" means any person who assists customers to select cosmetics by allowing the customer to apply samples of demonstration cosmetics, assisting the customer to apply cosmetics, or applying the cosmetic to the customer. There shall be no skin-to-skin contact between the salesperson and the customer. Assisted cosmetic applications by the customer or the person employed in retail cosmetic sales shall be performed with single-use applicators, except for perfume or cologne, samples applied to the hand or the arm or dispensed from a tube, pump, spray or shaker container, or samples or applicators that have been cleansed before each use or application. No person employed in retail cosmetic sales as provided in this section shall accept any remuneration from the customer for performing any of the acts described in this section or make such assistance or application conditioned on any sale.

2. A license as required under section 329.030 is not required for persons who are employed in retail cosmetic sales if such persons do not hold themselves out to have a license, permit, certificate of registration or any other authority authorizing such person to practice the professions licensed by the board.

3. The board may promulgate rules establishing minimum sanitation standards for persons employed in retail

cosmetic sales, but such rules shall not require a sink at the cosmetic counter for a source and drainage of water or any other electrical sanitation equipment required in hairdressing or cosmetologist's or manicurist's shops licensed pursuant to this chapter. The board may inspect retail cosmetic sales establishments to ensure compliance with this section and rules promulgated thereunder.

(L. 1995 S.B. 292, A.L. 2005 S.B. 280)

329.040. Schools of cosmetology — license requirements, application, form — hours required for student cosmetologists, nail technicians and estheticians.

1. Any person in good standing with the board may make application to the board for a license to own a school of cosmetology on a form provided upon request by the board. Every school of cosmetology in which any of the classified occupations of cosmetology are taught shall be required to obtain a license from the board prior to opening. The license shall be issued upon approval of the application by the board, the payment of the required fees, and the applicant meets other requirements provided in this chapter. The license shall be kept posted in plain view within the school at all times.

2. A school license renewal fee shall be due on or before the renewal date of any school license issued pursuant to this section. If the school license renewal fee is not paid on or before the renewal date, a late fee shall be added to the regular school license fee.

3. No school of cosmetology shall be granted a license pursuant to this chapter unless it:

(1) Employs and has present in the school a competent licensed instructor for every twenty-five students in attendance for a given class period and one to ten additional students may be in attendance with the assistance of an instructor trainee. One instructor is authorized to teach up to three instructor trainees immediately after being granted an instructor's license;

(2) Requires all students to be enrolled in a course of study of no less than three hours per day and no more than twelve hours per day with a weekly total that is no less than fifteen hours and no more than seventy-two hours;

(3) Requires for the classified occupation of cosmetologist, the course of study shall be no less than one thousand five hundred hours or, for a student in public vocational/technical school no less than one thousand two hundred twenty hours; provided that, a school may elect to base the course of study on credit hours by applying the credit hour formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal Regulations, as amended. The student must earn a minimum of one hundred * sixty hours or equivalent credits of classroom training before the student may perform any of the acts of the classified occupation of cosmetology on any patron or customer of the school of cosmetology;

(4) Requires for the classified occupation of manicurist, the course of study shall be no less than four hundred hours or the credit hours determined by the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal Regulations, as amended. The student must earn a minimum of fifty hours or equivalent credits of classroom training before the student may perform any of the acts of the classified occupation of manicurist on any patron or customer of the school of cosmetology;

(5) Requires for the classified occupation of esthetician, the course of study shall be no less than seven hundred fifty hours or the credit hours determined by the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal Regulations, as amended. The student shall earn a minimum of seventy-five hours or equivalent credits of classroom training before the student may perform any of the acts of the classified occupation of esthetics on any patron or customer of the school of cosmetology or an esthetics school.

4. The subjects to be taught for the classified occupation of cosmetology shall be as follows and the hours required for each subject shall be not less than those contained in this subsection or the credit hours determined by the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal Regulations, as amended:

- (1) Shampooing of all kinds, forty hours;
- (2) Hair coloring, bleaches and rinses, one hundred thirty hours;
- (3) Hair cutting and shaping, one hundred thirty hours;
- (4) Permanent waving and relaxing, one hundred twenty-five hours;
- (5) Hairsetting, pin curls, fingerwaves, thermal curling, two hundred twenty-five hours;
- (6) Combouts and hair styling techniques, one hundred five hours;
- (7) Scalp treatments and scalp diseases, thirty hours;
- (8) Facials, eyebrows and arches, forty hours;
- (9) Manicuring, hand and arm massage and treatment of nails, one hundred ten hours;
- (10) Cosmetic chemistry, twenty-five hours;
- (11) Salesmanship and shop management, ten hours;

- (12) Sanitation and sterilization, thirty hours;
- (13) Anatomy, twenty hours;
- (14) State law, ten hours;
- (15) Curriculum to be defined by school, not less than four hundred seventy hours.

5. The subjects to be taught for the classified occupation of manicurist shall be as follows and the hours required for each subject shall be not less than those contained in this subsection or the credit hours determined by the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal Regulations, as amended:

- (1) Manicuring, hand and arm massage and treatment of nails, two hundred twenty hours;
- (2) Salesmanship and shop management, twenty hours;
- (3) Sanitation and sterilization, twenty hours;
- (4) Anatomy, ten hours;
- (5) State law, ten hours;
- (6) Study of the use and application of certain chemicals, forty hours; and
- (7) Curriculum to be defined by school, not less than eighty hours.

6. The subjects to be taught for the classified occupation of esthetician shall be as follows, and the hours required for each subject shall not be less than those contained in this subsection or the credit hours determined by the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal Regulations, as amended:

- (1) Facials, cleansing, toning, massaging, one hundred twenty hours;
- (2) Makeup application, all phases, one hundred hours;
- (3) Hair removal, thirty hours;
- (4) Body treatments, aromatherapy, wraps, one hundred twenty hours;
- (5) Reflexology, thirty-five hours;
- (6) Cosmetic sciences, structure, condition, disorder, eighty-five hours;
- (7) Cosmetic chemistry, products and ingredients, seventy-five hours;
- (8) Salon management and salesmanship, fifty-five hours;
- (9) Sanitation and sterilization, safety, forty-five hours;
- (10) State law, ten hours; and
- (11) Curriculum to be defined by school, not less than seventy-five hours.

7. Training for all classified occupations shall include practical demonstrations, written and/or oral tests, and practical instruction in sanitation, sterilization and the use of antiseptics, cosmetics and electrical appliances consistent with the practical and theoretical requirements as applicable to the classified occupations as provided in this chapter.

8. No school of cosmetology shall operate within this state unless a proper license pursuant to this chapter has first been obtained.

9. Nothing contained in this chapter shall prohibit a licensee within a cosmetology establishment from teaching any of the practices of the classified occupations for which the licensee has been licensed for not less than two years in the licensee's regular course of business, if the owner or manager of the business does not hold himself or herself out as a school and does not hire or employ or personally teach regularly at any one and the same time, more than one apprentice to each licensee regularly employed within the owner's business, not to exceed one apprentice per establishment, and the owner, manager, or trainer does not accept any fee for instruction.

10. Each licensed school of cosmetology shall provide a minimum of two thousand square feet of floor space, adequate rooms and equipment, including lecture and demonstration rooms, lockers, an adequate library and two restrooms. The minimum equipment requirements shall be: six shampoo bowls, ten hair dryers, two master dustproof and sanitary cabinets, wet sterilizers, and adequate working facilities for twenty students.

11. Each licensed school of cosmetology for manicuring only shall provide a minimum of one thousand square feet of floor space, adequate room for theory instruction, adequate equipment, lockers, an adequate library, two restrooms and a clinical working area for ten students. Minimum floor space requirement proportionately increases with student enrollment of over ten students.

12. Each licensed school of cosmetology for esthetics only shall provide a minimum of one thousand square feet of floor space, adequate room for theory instruction, adequate equipment, lockers, an adequate library, two restrooms and a clinical working area for ten students. Minimum floor space requirement increases fifty square feet per student with student enrollment of over ten.

13. No school of cosmetology may have a greater number of students enrolled and scheduled to be in attendance for a given class period than the total floor space of that school will accommodate. Floor space required per student shall be no less than fifty square feet per additional student beyond twenty students for a school of cosmetology, beyond ten students for a school of manicuring and beyond ten students for a school of esthetics.

14. Each applicant for a new school shall file a written application with the board upon a form approved and

furnished upon request by the board. The applicant shall include a list of equipment, the proposed curriculum, and the name and qualifications of any and all of the instructors.

15. Each school shall display in a conspicuous place, visible upon entry to the school, a sign stating that all cosmetology services in this school are performed by students who are in training.

16. Any student who wishes to remain in school longer than the required training period may make application for an additional training license and remain in school. A fee is required for such additional training license.

17. All contractual fees that a student owes to any cosmetology school shall be paid before such student may be allowed to apply for any examination required to be taken by an applicant applying for a license pursuant to the provisions of this chapter.

(RSMo 1939 § 9813, A.L. 1945 p. 959, A.L. 1959 S.B. 283, A.L. 1979 H.B. 960, A.L. 1981 S.B. 16, A.L. 1987 S.B. 248 & 278, A.L. 1989 H.B. 738 & 720, A.L. 1995 S.B. 292, A.L. 1997 H.B. 309, A.L. 2001 H.B. 567, A.L. 2018 H.B. 1500 merged with H.B. 1719)

Prior revision: 1929 § 9092

**Word "and" appears in original rolls of H.B. 1500 and H.B. 1719.*

329.045. License of cosmetology shop required, establishment fee — display of license — change of ownership, effect of.

1. Every establishment in which the occupation of cosmetology is practiced shall be required to obtain a license from the board. Every establishment required to be licensed shall pay to the board an establishment fee for the first three licensed cosmetologists esthetician and/or manicurists, and/or apprentices and an additional fee for each additional licensee. The fee shall be due and payable on the renewal date and, if the fee remains unpaid thereafter, there shall be a late fee in addition to the regular establishment fee or, if a new establishment opens any time during the licensing period and does not register before opening, there shall be a delinquent fee in addition to the regular establishment fee. The license shall be kept posted in plain view within the establishment at all times.

2. A new license shall be obtained for a cosmetology establishment within forty-five days when the establishment changes ownership or location. The state inspector shall inspect the sanitary conditions required for licensure for an establishment that has changed ownership or location without requiring the owner to close business or deviate in any way from the establishment's regular hours of operation.

(L. 1951 p. 732 § 329.041, A.L. 1959 S.B. 283, A.L. 1961 p. 498, A.L. 1979 H.B. 960, A.L. 1981 S.B. 16, A.L. 1995 S.B. 292, A.L. 1997 H.B. 309, A.L. 2005 S.B. 280, A.L. 2006 S.B. 934)

329.050. Applicants for examination or licensure — qualifications — denial, when.

1. Applicants for examination or licensure pursuant to this chapter shall possess the following qualifications:

(1) They shall provide documentation of successful completion of courses approved by the board, have an education equivalent to the successful completion of the tenth grade, and be at least seventeen years of age;

(2) If the applicants are apprentices, they shall have served and completed, as an apprentice under the supervision of a licensed cosmetologist, the time and studies required by the board which shall be no less than three thousand hours for cosmetologists, and no less than eight hundred hours for manicurists and no less than fifteen hundred hours for esthetics. However, when the classified occupation of manicurist is apprenticed in conjunction with the classified occupation of cosmetologist, the apprentice shall be required to successfully complete an apprenticeship of no less than a total of three thousand hours;

(3) If the applicants are students, they shall have had the required time in a licensed school of no less than one thousand five hundred hours training or the credit hours determined by the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal Regulations, as amended, for the classification of cosmetologist, with the exception of public vocational technical schools in which a student shall complete no less than one thousand two hundred twenty hours training. All students shall complete no less than four hundred hours or the credit hours determined by the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal Regulations, as amended, for the classification of manicurist. All students shall complete no less than seven hundred fifty hours or the credit hours determined by the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal Regulations, as amended, for the classification of esthetician. However, when the classified occupation of manicurist is taken in conjunction with the classified occupation of cosmetologist, the student shall not be required to serve the extra four hundred hours or the credit hours determined by the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal Regulations, as amended, otherwise required to include manicuring of nails; and

(4) They shall have passed an examination to the satisfaction of the board.

2. A person may apply to take the examination required by subsection 1 of this section if the person is a graduate of a school of cosmetology or apprentice program in another state or territory of the United States which has substantially the same requirements as an educational establishment licensed pursuant to this chapter. A person may apply to take the examination required by subsection 1 of this section if the person is a graduate of an educational establishment in a foreign country that provides training for a classified occupation of cosmetology, as defined by section 329.010, and has educational requirements that are substantially the same requirements as an educational establishment licensed under this chapter. The board has sole discretion to determine the substantial equivalency of such educational requirements. The board may require that transcripts from foreign schools be submitted for its review, and the board may require that the applicant provide an approved English translation of such transcripts.

3. Each application shall contain a statement that, subject to the penalties of making a false affidavit or declaration, the application is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing the application.

4. The sufficiency of the qualifications of applicants shall be determined by the board, but the board may delegate this authority to its executive director subject to such provisions as the board may adopt.

5. Applications for examination or licensure may be denied if the applicant has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the following offenses or offenses of a similar nature established under the laws of this state, any other state, the United States, or any other country, notwithstanding whether sentence is imposed:

(1) Any dangerous felony as defined under section 556.061 or murder in the first degree;

(2) Any of the following sexual offenses: rape in the first degree, forcible rape, rape, statutory rape in the first degree, statutory rape in the second degree, rape in the second degree, sexual assault, sodomy in the first degree, forcible sodomy, statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, sodomy in the second degree, deviate sexual assault, sexual misconduct involving a child, sexual misconduct in the first degree under section 566.090 as it existed prior to August 28, 2013, sexual abuse under section 566.100 as it existed prior to August 28, 2013, sexual abuse in the first or second degree, enticement of a child, or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest, abandonment of a child in the first degree, abandonment of a child in the second degree, endangering the welfare of a child in the first degree, abuse of a child, using a child in a sexual performance, promoting sexual performance by a child, or trafficking in children; and

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree, promoting obscenity in the second degree when the penalty is enhanced to a class E felony, promoting child pornography in the first degree, promoting child pornography in the second degree, possession of child pornography in the first degree, possession of child pornography in the second degree, furnishing child pornography to a minor, furnishing pornographic materials to minors, or coercing acceptance of obscene material.

(RSMo 1939 § 9816, A.L. 1945 p. 959, A. 1949 H.B. 2069, A.L. 1961 p. 498, A.L. 1981 S.B. 16, A.L. 1989 H.B. 738 & 720, A.L. 1995 S.B. 292, A.L. 1996 S.B. 930, A.L. 2001 H.B. 567, A.L. 2005 S.B. 177 merged with S.B. 280, A.L. 2018 H.B. 1500 merged with H.B. 1719)

Prior revision: 1929 § 9095

329.060. Individual license, application, fee, temporary license.

1. Every person desiring to sit for the examination for any of the occupations provided for in this chapter shall file with the board a written application on a form supplied to the applicant, and shall submit proof of the required age and educational qualifications, together with the required cosmetology examination fee. Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration.

2. Upon the filing of the application and the payment of the fee, the board shall, upon request, issue to the applicant, if the applicant is qualified to sit for the examination, a temporary license for the practicing of the occupations as provided in this chapter. Any person receiving a temporary license shall be entitled to practice the occupations designated on the temporary license, under the supervision of a person licensed in the occupation, until the expiration of the temporary license. Any person continuing to practice the occupation beyond the expiration of the temporary license without being licensed in that occupation as provided in this chapter is guilty of an infraction.

(RSMo 1939 § 9815, A.L. 1945 p. 959, A.L. 1959 S.B. 283, A.L. 1979 H.B. 960, A.L. 1981 S.B. 16, A.L. 1995 S.B.

329.070. Registration of apprentices and students, fee, qualifications, application.

1. Apprentices or students shall be registered with the board and shall pay a student fee or an apprentice fee prior to beginning their course, and shall have an education equivalent to the successful completion of the tenth grade.
2. An apprentice or student shall not be enrolled in a course of study that shall exceed twelve hours per day or that is less than three hours per day. The course of study shall be no more than seventy-two hours per week and no less than fifteen hours per week.
3. Every person desiring to act as an apprentice in any of the classified occupations within this chapter shall file with the board a written application on a form supplied to the applicant, together with the required apprentice fee.

(RSMo 1939 § 9816, A.L. 1945 p. 959, A. 1949 H.B. 2069, A.L. 1951 p. 732, A.L. 1959 S.B. 283, A.L. 1979 H.B. 960, A.L. 1981 S.B. 16, A.L. 1989 H.B. 738 & 720, A.L. 2005 S.B. 280, A.L. 2018 H.B. 1500 merged with H.B. 1719)
Prior revision: 1929 § 9095

329.080. Instructor trainee license, qualifications, application, fee.

1. An instructor trainee shall be a licensed cosmetologist, esthetician or manicurist and shall hold a license as an instructor trainee in cosmetology, esthetics or manicuring. An applicant for a license to practice as an instructor trainee shall submit to the board the required fee and a written application on a form supplied by the board upon request that the applicant has successfully completed at least a four-year high school course of study or the equivalent, and holds a Missouri license to practice as a cosmetologist, esthetician or manicurist. Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing the application, subject to the penalties of making a false affidavit or declaration.
2. An applicant approved by the board shall be issued an instructor trainee license. The license shall be issued for a definite period needed to complete training requirements to become eligible for taking the examinations. An applicant shall be approved for an instructor trainee license only for those classified occupations for which the applicant is licensed at the time the instructor trainee application is submitted to the board.
3. The instructor trainee shall be required to complete six hundred hours of instructor training within a Missouri licensed school of cosmetology consisting of a curriculum including both theory and practical training to include the following:
 - (1) Two hundred hours to be devoted to basic principles of student teaching to include teaching principles, lesson planning, curriculum planning and class outlines, teaching methods, teaching aids, testing and evaluation;
 - (2) Fifty hours of psychology as applied to cosmetology, personality and teaching, teacher evaluation, counseling, theories of learning, and speech;
 - (3) Fifty hours of business experience or management including classroom management, record keeping, buying and inventorying supplies, and state law; and
 - (4) Three hundred hours of practice teaching in both theory and practical application.
4. The six hundred hours required pursuant to subsection 3 of this section may be reduced as follows:
 - (1) Three years of experience as a licensed cosmetologist, esthetician, or manicurist may be substituted for three hundred hours of training. The three hundred hours will be partially reduced in proportion to experience as a licensee greater than six months but less than three; or
 - (2) Four and one-half college credit hours in teaching methodology, as defined by rule, may be substituted for three hundred hours of training. Applicants requesting credit shall submit to the board a certified transcript together with a course description certified by the administering education institution as being primarily directed to teaching methodology. The three hundred hours will be partially reduced in proportion to college credit hours in teaching methodology of less than four and one-half hours; or
 - (3) Applicants who apply from states where the requirements are not substantially equal to those in force in Missouri at the time of application, may be eligible for the examination if they provide an affidavit verifying a current, valid instructor license in another state, territory of the United States, District of Columbia, or foreign country, state or province.

(RSMo 1939 § 9816, A.L. 1945 p. 959, A. 1949 H.B. 2069, A.L. 1959 S.B. 283, A.L. 1978 H.B. 1378, A.L. 1979

H.B. 960, A.L. 1981 S.B. 16, A.L. 1989 H.B. 738 & 720, A.L. 1995 S.B. 292, A.L. 1997 H.B. 309, A.L. 2018 H.B. 1500 merged with H.B. 1719)

Prior revision: 1929 § 9095

329.085. Instructor license, qualifications, fees, exceptions.

1. Any person desiring an instructor license shall submit to the board a written application on a form supplied by the board showing that the applicant has met the requirements set forth in section 324.009 or 329.080. An applicant who has met all requirements as determined by the board shall be allowed to take the instructor examination, including any person who has been licensed three or more years as a cosmetologist, manicurist or esthetician. If the applicant passes the examination to the satisfaction of the board, the board shall issue to the applicant an instructor license.

2. The instructor examination fee and the instructor license fee for an instructor license shall be nonrefundable.

3. The instructor license renewal fee shall be in addition to the regular cosmetologist, esthetician or manicurist license renewal fee. For each renewal the instructor shall submit proof of having attended a teacher training seminar or workshop at least once every two years, sponsored by any university, or Missouri vocational association, or bona fide state cosmetology association specifically approved by the board to satisfy the requirement for continued training of this subsection. Renewal fees shall be due and payable on or before the renewal date and, if the fee remains unpaid thereafter in such license period, there shall be a late fee in addition to the regular fee.

4. Instructors duly licensed as physicians or attorneys or lecturers on subjects not directly pertaining to the practice pursuant to this chapter need not be holders of licenses provided for in this chapter.

5. The board shall grant instructor licensure upon application and payment of a fee equivalent to the sum of the instructor examination fee and the instructor license fee, provided the applicant establishes compliance with the instructor requirements of another state, territory of the United States, or District of Columbia and the applicant holds a current instructor license in the other jurisdiction at the time of making application.

6. Any person licensed as a cosmetology instructor prior to the training requirements which became effective January 1, 1979, may continue to be licensed as such, provided such license is maintained and the licensee complies with the continued training requirements as provided in subsection 3 of this section. Any person with an expired instructor license that is not restored to current status within two years of the date of expiration shall be required to meet the training and examination requirements as provided in this section and section 329.080.

(L. 1989 H.B. 738 & 720, A.L. 1995 S.B. 292, A.L. 1997 H.B. 309, A.L. 2001 H.B. 567, A.L. 2018 H.B. 1500 merged with H.B. 1719 merged with S.B. 840)

329.090. Admission to examination.

If the board finds the applicant has submitted the credentials required for admission to the examination and has paid the required fee, the board shall admit such applicant to examination for licensure.

(RSMo 1939 § 9817, A.L. 1945 p. 959, A.L. 1995 S.B. 292, A.L. 2005 S.B. 280)

Prior revision: 1929 § 9096

329.100. Conduct of examinations.

The examination of applicants for licenses to practice under this chapter shall be conducted under the rules prescribed by the board and shall include both practical demonstrations and written and oral tests in reference to the practices for which a license is applied and such related studies and subjects as the board may determine necessary for the proper and efficient performance of such practices and shall not be confined to any specific system or method, and such examinations shall be consistent with the practical and theoretical requirements of the classified occupation or occupations as provided by this chapter.

(RSMo 1939 § 9818, A.L. 1945 p. 959, A.L. 1995 S.B. 292, A.L. 2005 S.B. 280)

Prior revision: 1929 § 9097

329.110. Board to issue license.

1. If an applicant for examination for cosmetology passes the examination to the satisfaction of the board and has paid the fee required and complied with the requirements pertaining to this chapter, the board shall cause to be issued a license to that effect. The license shall be evidence that the person to whom it is issued is entitled to engage in the practices, occupation or occupations stipulated therein as prescribed in this chapter. The license

shall be conspicuously displayed in his or her principal office, place of business, or employment.

2. Whenever anyone who has been licensed in accordance with this chapter practices any of the occupations authorized in this chapter outside of or away from the person's principal office, place of business, or employment, he or she shall deliver to each person in his or her care a certificate of identification. This certificate shall contain his or her signature, the number and date of his or her license, the post office address and the date upon which the certificate of identification is delivered to the person under his or her care.

(RSMo 1939 § 9819, A.L. 1945 p. 959, A.L. 1981 S.B. 16, A.L. 1995 S.B. 292, A.L. 2005 S.B. 280)

Prior revision: 1929 § 9098

329.120. License, renewal, fee--reinstatement after expiration, fee.

The holder of a license issued by the board who continues in active practice or occupation shall on or before the license renewal date renew the holder's license and pay the renewal fee. A license which has not been renewed prior to the renewal date shall expire on the renewal date. The holder of an expired license may have the license restored within two years of the date of expiration without examination, upon the payment of a delinquent fee in addition to the renewal fee.

(RSMo 1939 § 9829, A.L. 1945 p. 959, A.L. 1947 V. I p. 321, A.L. 1959 S.B. 283, A.L. 1979 H.B. 960, A.L. 1981 S.B. 16, A.L. 1995 S.B. 292, A.L. 2005 S.B. 280)

Prior revision: 1929 § 9108

329.123. Duplicate license issued, when.

A duplicate license shall be issued without the payment of a duplicate license fee if an affidavit is presented showing that the license has been destroyed, lost, mutilated beyond practical usage, or was never received.

(L. 1959 S.B. 283 § 329.131, A.L. 1979 H.B. 960, A.L. 1981 S.B. 16, A.L. 1989 H.B. 738 & 720)

329.127. Certification of licenses, or hours and grades, fee.

There shall be a fee for the filling out or making of an affidavit of certification of current licenses, or hours and grades, for persons applying for licensure in other states.

(L. 1959 S.B. 283 § 329.132, A.L. 1979 H.B. 960, A.L. 1981 S.B. 16, A.L. 1995 S.B. 292)

329.130. Reciprocity with other states, fee.

The board shall grant without examination a license to practice cosmetology to any applicant who holds a current license that is issued by another state, territory of the United States, or the District of Columbia whose requirements for licensure are similar to the licensing requirements in Missouri at the time the application is filed or who has practiced cosmetology for at least two consecutive years in another state, territory of the United States, or the District of Columbia. The applicant under this section shall pay the appropriate application and licensure fees at the time of making application. A licensee who is currently under disciplinary action with another board of cosmetology shall not be licensed by reciprocity under the provisions of section 324.009.

(RSMo 1939 § 9821, A.L. 1945 p. 959, A.L. 1959 S.B. 283, A.L. 1961 p. 498, A.L. 1979 H.B. 960, A.L. 1981 S.B. 16, A.L. 1995 S.B. 292, A.L. 2005 S.B. 280, A.L. 2018 H.B. 1500 merged with H.B. 1719 merged with S.B. 840)

Prior revision: 1929 § 9100

329.140. Denial, revocation or suspension of license, grounds for--discipline.

1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use or illegal possession of any controlled substance, as defined in chapter 195; use of an alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or

regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice under this chapter;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid license if so required by this chapter or any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit.

4. The board, acting upon its own knowledge or written or verified complaint filed by any person, may discipline a person as provided in subsections 1 to 3 of this section or the board may bring an action to enjoin any person, firm or corporation from engaging in an occupation regulated by the provisions of this chapter, if such person, firm or corporation without being licensed to do so by the board, engages in or practices an occupation licensed pursuant to this chapter. The action shall be brought in the county in which such person resides, or, in the case of a firm or corporation, where the firm or corporation maintains its principal office; and, unless it appears that such person, firm or corporation so engaging or practicing such occupation is licensed, the injunction shall be issued, and such person, firm or corporation shall be perpetually enjoined from engaging in such activities throughout the state.

(RSMo 1939 § 9823, A.L. 1945 p. 959, A.L. 1951 p. 732, A.L. 1979 H.B. 140, A.L. 1981 S.B. 16, A.L. 1995 S.B. 292, A.L. 1998 H.B. 1601, et al., A.L. 2020 H.B. 2046)

Prior revision: 1929 § 9102

329.170. Emergency service.

Nothing in this chapter shall prohibit service in case of emergency or domestic administration, or services by persons authorized under the laws of this state to practice medicine, surgery, dentistry, chiropody, osteopathy, chiropractic nursing or services by barbers lawfully engaged in the performance of the usual and ordinary duties of their vocation.

(RSMo 1939 § 9828)

329.250. Violation of law--penalty.

Any person who shall act in any capacity other than by demonstration to or before licensed cosmetologists, or maintain any business wherein a license is required pursuant to this chapter, without having such license, or any person who violates any provision of this chapter is guilty of a class C misdemeanor.

(RSMo 1939 § 9830, A.L. 1945 p. 959, A.L. 1951 p. 732, A.L. 1971 S.B. 82, A.L. 1979 H.B. 140, A.L. 1981 S.B. 16, A.L. 1995 S.B. 292)

Prior revision: 1929 § 9109

329.255. Violation of law--penalty.

1. Any person:

(1) Offering to engage or engaging in the performance of any acts or practices for which a certificate of registration or authority, permit or license is required by this chapter upon a showing that such acts or practices were performed or offered to be performed without a certificate of registration or authority, permit or license; or

(2) Engaging in any practice or business authorized by a certificate of registration or authority, permit or license issued pursuant to this chapter upon a showing that the holder presents a substantial probability of serious danger to the health, safety or welfare of any resident of this state or client of the licensee.

2. Any person violating the provisions of subsection 1 or 2 of this section shall be deemed guilty of an infraction.

(L. 1995 S.B. 292)

329.260. Recognition of license, certificate, permit or other authority held before August 28, 1995.

Any person holding a valid license, certificate, permit, or other authority, regulated or granted pursuant to sections 329.010 to 329.250 on August 28, 1995, shall be recognized by the board and shall be entitled to retain any existing status, so long as the person complies with the provisions of sections 329.010 to 329.260 and any rules promulgated pursuant thereto. Such recognition shall be as follows:

(1) All persons previously licensed as Class A shall be recognized as Class CH;

(2) All persons previously licensed as Class B shall be recognized as Class MO;

(3) All persons previously licensed as Class A and Class B shall be recognized as Class CA.

(L. 1995 S.B. 292)

329.265. Cosmetologists may be licensed as esthetician.

After July 1, 1999, any licensed cosmetologist shall be required to complete the required training of seven hundred fifty hours and pass the required examination to be licensed as an esthetician.

(L. 1995 S.B. 292, A.L. 1996 S.B. 930, A.L. 1998 H.B. 1601, et al., A.L. 2005 S.B. 280)

329.275. Hair braiding, registration requirements, fee — duties of board.

1. The practices of cosmetology and barbering shall not include hair braiding, except that, nothing in this section shall be construed as prohibiting a licensed cosmetologist or barber from performing the service of hair braiding.

2. No person shall engage in hair braiding for compensation in the state of Missouri without first registering with the board. Applicants for a certificate of registration to engage in hair braiding shall submit to the board an application and a required fee, as set by the board. Such fee shall not exceed twenty dollars. Prior to receiving a certificate, each applicant shall also watch an instructional video prepared by the board in accordance with subsection 4 of this section. An applicant for a certificate of registration may be denied such certificate if the applicant has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the offenses set forth in subsection 5* of section 329.050.

3. Registered hair braiders shall keep their information that the board requires for initial registration current and up to date with the board.

4. The board shall develop and prepare an instructional video, at least four hours but no more than six hours in length, that contains information about infection control techniques and diseases of the scalp that are appropriate for hair braiding in or outside of a salon setting and any other information to be determined by the board. The instructional video shall be made available to applicants through the division of professional registration's website. The board shall also develop and prepare a brochure that contains a summary of the information contained in the

instructional video. The brochure shall be made available through the division of professional registration's website, or by mail, upon request, for a fee to cover the board's mailing costs.

5. Any person who registers as a hair braider under this section shall post a copy of his or her certificate of registration in a conspicuous place at his or her place of business. If the person is operating outside his or her place of business, he or she shall provide to the client or customer a copy of his or her certificate of registration upon the client's or customer's request.

6. (1) The board may inspect hair braiding establishments or facilities where hair braiding occurs one time per year during business hours to ensure:

(a) Persons registered as hair braiders are not operating outside the scope of practice of hair braiding; and

(b) Compliance with this section and rules promulgated thereunder.

(2) Additionally, if a customer or client submits a complaint to the board about a hair braider, the board may inspect such hair braider's establishment during regular business hours. This inspection shall not count toward the one-time inspection limit set forth in subdivision (1) of this subsection.

(3) In addition to the causes listed in section 329.140, the board may also suspend or revoke a certificate of registration if a person registered as a hair braider is found to be operating outside the scope of practice of hair braiding.

7. Nothing in this section shall apply to any cosmetologists licensed to practice in this state in their respective classifications.

(L. 2018 H.B. 1500 merged with H.B. 1719)

** "Subsection 6", which appears in original rolls of H.B. 1500 and H.B. 1719, does not exist.*

Rules & Regulations

**Division 2085
Board of Cosmetology
and Barber Examiners**



Rules of Department of Commerce and Insurance

Division 2085—Board of Cosmetology and Barber Examiners

Chapter 1—Organization and Description of Board

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2085—Board of Cosmetology
and Barber Examiners
Chapter 1—Organization and Description
of Board**

20 CSR 2085-1.010 General Organization

PURPOSE: This regulation complies with section 536.023(3), RSMo 2000, which requires each agency to adopt as a regulation, a description of its operation and the methods and procedures whereby the public may obtain information or make submissions or requests.

(1) The board was established by section 329.015, RSMo, and is vested with the duties previously exercised by the State Board of Barber Examiners and the State Board of Cosmetology.

(2) The State Board of Cosmetology and Barber Examiners is a board within the Division of Professional Registration of the Department of Commerce and Insurance.

(3) Each member of the State Board of Cosmetology and Barber Examiners shall receive the sum of seventy dollars (\$70) as compensation for each day actually spent in attendance at meetings of the board, not to exceed forty-eight (48) days in any calendar year and in addition they shall be reimbursed for all necessary expenses incurred in the performance of their duties as members of the board.

(4) The board shall meet at least six (6) times per year as determined by the board. The time and location for each meeting may be obtained by contacting the executive director of the board at PO Box 1062, Jefferson City, MO 65102, or by calling toll free at (866) 762-9432.

(5) The board shall elect one (1) of its members president, one (1) vice president and one (1) secretary, with the limitation that no single profession can hold the positions of president and vice president at the same time. Election of officers of the board shall be held annually at the May meeting of the board. If any elected position is vacated during the year for any reason, then an election shall be held for that position only.

(6) The executive director of the board is hereby designated as the custodian of records for the board. The public may obtain information from the board or make submissions or requests to the board by writing the exec-

utive director at the following address: PO Box 1062, Jefferson City, MO 65102.

(7) Unless otherwise provided by statute or regulation, all meetings of the board will be conducted according to the current edition of *Robert's Rules of Order* to the extent not inconsistent with the practices and procedures of the board.

AUTHORITY: sections 329.023 and 329.025.1, RSMo Supp. 2006. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Non-substantive change filed July 30, 2019, published Sept. 30, 2019.*

**Original authority: 329.023, RSMo 2005 and 329.025, RSMo 2005.*



**Rules of
Department of Commerce and
Insurance**

**Division 2085—Board of Cosmetology and Barber
Examiners**

**Chapter 2—Public Complaint Handling and
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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2085—Board of Cosmetology
and Barber Examiners
Chapter 2—Public Complaint Handling
and Disposition Procedures**

**20 CSR 2085-2.010 Public Complaint
Handling and Disposition Procedures**

PURPOSE: This rule establishes a procedure for the receipt, handling and disposition of public complaints by the board.

(1) The State Board of Cosmetology and Barber Examiners shall receive and process each complaint made in writing against any licensee, permit (registration) holder, registrant of the board or unlicensed individual or entity, which alleges certain acts or practices which may constitute one (1) or more violations of the provisions of Chapters 328 and 329, RSMo. Any member of the public or the professions licensed, or any federal, state or local official, may make and file a complaint with the board. Complaints from sources outside Missouri will be received and processed in the same manner as those originating in Missouri.

(2) The board, executive director, or any staff member of the board may file a complaint pursuant to this rule in the same manner as any member of the public. No member of the State Board of Cosmetology and Barber Examiners shall file a complaint with the board while he/she holds that office, unless that member excuses him/herself from further board deliberations or activity concerning the matters alleged within that complaint.

(3) Complaints may be made on forms provided by the board and are available upon request. Complaints should be mailed or delivered to the following address: Executive Director, State Board of Cosmetology and Barber Examiners, PO Box 1062, Jefferson City, MO 65102. However, actual receipt of the complaint by the board at its administrative office in any manner shall be sufficient. Complaints may be made based upon personal knowledge or upon information and belief reciting information received from other sources.

(4) All complaints shall be made in writing, signed and shall fully identify the nature of the complaint and the name and address of the complainant. The board may require that a complaint be made by affidavit sworn before a notary public or other authorized officer and that the complaint fully identify

the affiant by name and address. Oral, telephone, written but unsworn or unsigned communications of any sort may not be considered or processed as complaints, however, the person making these communications, if known, may be provided with a complaint form and requested to complete it and return it to the board in affidavit form. Any member of the administrative staff of the board may make and file a complaint based upon information and belief, in reliance upon oral, telephone or written communications received by the board, unless those communications are believed by that staff member to be false.

(5) Each complaint received under this rule shall be acknowledged in writing. The acknowledgement shall state that the complaint is being referred to the board for consideration at its next regularly scheduled meeting. The complainant shall be informed in writing as to whether the complaint is being investigated, and later, as to whether the complaint is being dismissed by the board. The complainant shall be notified of the ultimate disposition of the complaint by the board and shall be provided with copies of any decisions of the Administrative Hearing Commission and the board at that time. The provisions of this section shall not apply to complaints filed by staff members of the board, based on information and belief, acting in reliance on third party information received by the board.

(6) Each complaint received under this rule shall be logged in consecutive order as received. The log shall contain a record of each complainant's name and address; the name and address of the subject(s) of the complaint; the date each complaint is received by the board; a brief statement of the acts complained of, including the name of any person injured or victimized by the alleged acts or practices; a notation whether the complaint resulted in its dismissal or closure by the board or formal charges being filed with the Administrative Hearing Commission; and the ultimate disposition of the complaint.

(7) Both the complaint and any information obtained as a result of the investigation shall be considered a closed record, pursuant to section 620.010.14(7), RSMo, and shall not be available for inspection by the general public. However, upon receipt of a signed authorization on a form provided by the board from the person who is the subject of the complaint and payment of any applicable fee, the board shall provide that person, or that person's authorized representative, with a

copy of the complaint and any attachments to the complaint unless otherwise privileged.

(8) This rule shall not be deemed to limit the board's authority to file a complaint with the Administrative Hearing Commission charging a licensee, permit holder or registrant of the board with any actionable conduct or violation, whether or not the complaint exceeds the scope of the acts charged in a preliminary public complaint filed with the board and whether or not any public complaint has been filed with the board.

(9) The board interprets this rule, as required by law, to exist for the benefit of those members of the public who submit complaints to the board, and for those persons or entities within the legislative and executive branches of government having supervisory or other responsibilities or control over the professional licensing boards. This rule shall not be deemed to protect or inure to the benefit of those licensees, permit holders, registrants or other persons against whom the board has instituted or may institute administrative or judicial proceedings concerning possible violations of the provisions of Chapters 328 and 329, RSMo.

AUTHORITY: sections 328.150 and 329.140, RSMo 2000 and 620.010.15(6) and 329.025(1), RSMo Supp. 2007.* Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.

**Original authority:* 328.150, RSMo 1939, amended 1951, 1981; 329.025, RSMo 2005; 329.140, RSMo 1939, amended 1945, 1951, 1979, 1981, 1995, 1998; and 620.010, RSMo 1973, amended 1981, 1983, 1986, 1989, 1990, 1993, 1994, 1995, 1999, 2001, 2007.



**Rules of
Department of Commerce and
Insurance**

**Division 2085—Board of Cosmetology and Barber
Examiners**

Chapter 3—License Fees

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2085—Board of Cosmetology
and Barber Examiners
Chapter 3—License Fees**

20 CSR 2085-3.010 Fees

PURPOSE: This rule establishes and fixes the various fees and charges authorized by Chapters 328 and 329, RSMo.

(1) The following barber related fees are hereby established by the State Board of Cosmetology and Barber Examiners for those fees, activities, or licenses governed by Chapter 328, RSMo.

(A) Apprentice Barber	
1. Registration	\$ 5
(B) Apprentice Supervisor	
1. Application Fee	\$ 75
(C) Barber	
1. Reciprocity	\$100
2. Exam Score Endorsement Fee	\$100
3. Certificate of Registration (first license)	\$ 20
4. License Renewal	\$ 30
A. License Renewal Effective July 1, 2017 through November 30, 2017	\$ 15
B. Reinstatement (delinquent) Fee after November 30 (not renewable after two (2) years)	\$ 60
C. Reinstatement Effective December 1, 2017 through September 30, 2019	\$ 45
D. Military renewal under section 328.110.3, RSMo	\$ 1
(D) Barber Establishment (Full Service/Chair Rental)	
1. Certificate of Registration/License	\$100
2. Change of Location	
A. Full Service Barber Establishment	\$100
B. Barber Chair/Individual Space Renter	\$ 50
3. Change of Ownership	\$ 50
4. Adding a Co-Owner	\$ 50
5. License Renewal	\$ 50
A. License Renewal Effective July 1, 2017 through October 30, 2017	\$ 25
B. Penalty Fee after October 30	\$ 80
C. Penalty Fee Effective October 31, 2017 through September 30, 2019	\$ 55

6. Delinquent Fee (Opening a barber establishment without registering before opening)	\$100
(E) Instructor	
1. Certificate of Registration (first license)	\$ 20
2. License Renewal	\$ 30
A. License Renewal Effective July 1, 2017 through April 30, 2018	\$ 15
B. Reinstatement (delinquent) Fee after April 30 not renewable after two (2) years	\$ 50
C. Reinstatement Effective May 1, 2018 through September 30, 2019	\$ 45
(F) Miscellaneous Fees (Applicable to all licensees/registrants)	
1. Certification/Affidavit of Licensure	\$ 10
2. Certification of Training Hours, Examination Scores	\$ 10
3. Duplicate License/Registration Fee	\$ 10
4. Handling/Insufficient Funds Fee (Any uncollectible check or other financial instrument)	\$ 25
5. Inactive License Fee	\$12.50
6. Late Fee	\$ 30
7. Name Search Fee	
(As determined by the Missouri State Highway Patrol)	
(G) School	
1. Application Fee to Open a New School/College	\$500
2. Change of Location	\$500
3. Change of Ownership	\$300
4. Adding a Co-Owner	\$ 50
5. License Renewal	\$500
A. Effective July 1, 2017 through September 30, 2017	\$250
(H) Student Barber	
1. Enrollment Application Fee	\$ 5
(2) The following cosmetology related fees are hereby established by the board for those fees, activities, or licenses governed by Chapter 329, RSMo.	
(A) Apprentice Cosmetology	
1. Enrollment Fee	\$ 5
(B) Apprentice Supervisor	
1. Application Fee	\$ 75
(C) Cosmetology Establishments (up to and including three (3) operators)	
1. Application/License Fee (Full Service & Rental Station)	\$100

2. Change of Location—	
A. Full Service Cosmetology Establishment	\$100
B. Rental Station/Independent Contractors	\$ 50
3. Change of Ownership	\$100
4. Adding Co-Owner	\$ 50
5. Delinquent Fee (Opening a cosmetology establishment without registering before opening)	\$100
6. Renewal Fee (Full Service & Rental Station)	\$ 50
A. Renewal Fee Effective July 1, 2017 through September 30, 2017	\$ 25
B. Reinstatement (Includes Late Fee)	\$ 80
C. Reinstatement Effective October 1, 2017 through September 30, 2019	\$ 55
(D) Instructors	
1. License Fee	\$ 30
2. Instructor Trainee Enrollment Fee	\$ 5
3. Reciprocity Fee	\$100
4. Reinstatement Fee (Includes Late Fee)	\$ 60
A. Effective October 1, 2017 through September 30, 2019	\$ 45
5. Renewal Fee	\$ 30
A. Effective July 1, 2017 through September 30, 2017	\$ 15
(E) Miscellaneous Fees (Applicable to all licensees/registrants)	
1. Certification/Affidavit of Licensure/Registration	\$ 10
2. Certification of Training Hours, Examination Scores	\$ 10
3. Duplicate License Fee	\$ 10
4. Handling Fee (Any uncollectible check or other financial instrument)	\$ 25
5. Inactive License Fee	\$12.50
6. Late Fee	\$ 30
(F) Operator Fees	
1. Additional Operator Fee	\$ 10
2. Reciprocity Fee	\$100
3. Exam Score Endorsement Fee	\$100
4. Reinstatement Fee (Includes Late Fee)	\$ 60
A. Effective October 1, 2017 through September 30, 2019	\$ 45
5. Renewal Fee	\$ 30
A. Effective July 1, 2017 through September 30, 2017	\$ 15
(G) School	
1. Change of Location Fee	\$500



2. School Application/License Fee	\$500	2. Certification of Training Hours, Examination Scores	\$ 10
3. Satellite Classroom License Fee	\$300	3. Duplicate License Fee	\$ 10
4. Satellite Classroom Renewal Fee	\$300	4. Handling Fee (Any uncollectible check or other financial instrument)	\$ 25
A. Effective July 1, 2017 through September 30, 2017	\$150	5. Inactive License Fee	\$12.50
5. School Renewal Fee	\$500	6. Late Fee	\$ 30
A. Effective July 1, 2017 through September 30, 2017	\$250	7. Name Search Fee (As determined by the Missouri State Highway Patrol)	\$ 20
(H) Student		8. Certificate of Registration (Hair Braiding)	\$ 20
1. Enrollment Application Fee	\$ 5	(D) Operators	
(3) The following fees are hereby established by the board for crossover licensees under Chapter 328 or Chapter 329, RSMo.		1. Initial Application/License Fee	\$100
(A) Establishments:		2. Reciprocity Fee	\$100
1. Application/License Fee	\$100	3. Exam Score Endorsement Fee	\$100
2. Change of Ownership	\$100	4. Reinstatement Fee (Includes Late Fee)	\$ 90
3. Adding Co-Owner	\$ 50	A. Effective October 1, 2017 through September 30, 2019	\$ 60
4. Change of Location Fee (Full Service)	\$100	5. Renewal Fee	\$ 60
5. Change of Location Fee (Rental)	\$ 50	A. Effective July 1, 2017 through September 30, 2017	\$ 30
6. Delinquent Fee (Opening an establishment without a license)	\$100	(E) Schools	
7. Reinstatement Fee (Includes Late Fee)	\$130	1. Change of Location Fee (schools)	\$850
A. Effective October 1, 2017 through September 30, 2019	\$ 80	2. Delinquent Fee (Opening a school without required license)	\$100
8. Renewal Fee (Full Service & Rental Station)	\$100	3. Initial Application/License Fee	\$850
A. Effective July 1, 2017 through September 30, 2017	\$ 50	4. Reinstatement Fee (schools) (Includes Late Fee)	\$880
(B) Instructors		A. Effective October 1, 2017 through September 30, 2019	\$455
1. Certificate of Registration	\$ 20	5. Renewal Fee (schools)	\$850
2. Instructor Trainee Enrollment Fee (Applicants required to complete additional cosmetology instructor education or training for crossover license)	\$ 5	A. Effective July 1, 2017 through September 30, 2017	\$425
3. Reciprocity Fee	\$100	(4) All fees are nonrefundable and are payable in the form of a cashier's check, money order, or personal check.	
4. Reinstatement Fee (Includes Late Fee)	\$ 60	(5) Checks or other financial instruments returned to the board as uncollectible shall be turned over to the prosecuting attorney's office or the licensee shall be required to pay a handling fee in addition to submitting replacement funds to the board.	
A. Effective October 1, 2017 through September 30, 2019	\$ 30	(6) Payment of any copy/printout fees and search fees may be required before any information will be provided, pursuant to section 610.026, RSMo.	
5. Renewal Fee	\$ 30	(7) The provisions of this rule are declared severable. If any fee fixed by this rule is held invalid by a court of competent jurisdiction or	
A. Effective July 1, 2017 through September 30, 2017	\$ 15		
(C) Miscellaneous Fees			
1. Certification/Affidavit of Licensure	\$ 10		

by the Administrative Hearing Commission, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

AUTHORITY: section 329.025(4), RSMo Supp. 2018. Original rule filed June 27, 2007, effective Dec. 30, 2007. Emergency amendment filed June 8, 2009, effective June 18, 2009, expired Feb. 25, 2010. Amended: Filed March 30, 2009, effective Sept. 30, 2009. Amended: Filed July 22, 2009, effective Jan. 30, 2010. Amended: Filed Oct. 31, 2016, effective April 30, 2017. Emergency amendment filed Sept. 21, 2018, effective Oct. 1, 2018, expired March 29, 2019. Amended: Filed Sept. 21, 2018, effective March 30, 2019.*

**Original authority: 329.025, RSMo 2005, amended 2008, 2018.*

Rules of **Department of Commerce and Insurance**

Division 2085—Board of Cosmetology and Barber Examiners

Chapter 4—General Rules Applicable to All Licensees/Registrants

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2085—Board of Cosmetology
and Barber Examiners
Chapter 4—General Rules Applicable to
All Licensees/Registrants**

20 CSR 2085-4.010 Renewal Dates

PURPOSE: This rule establishes and fixes the renewal dates for licenses issued pursuant to Chapters 328 and 329, RSMo.

(1) All barber and cosmetology licenses and registrations, including school licenses, shall be renewed biennially and shall expire on September 30 of each odd-numbered year.

(2) The license period for barber and cosmetology schools shall run concurrently with other certificates of registration and licenses issued by the board.

AUTHORITY: sections 328.110, 329.025.1(7) and 329.120, RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: 328.110, RSMo 1939, amended 1945, 1947, 1949, 1951, 1967, 1969, 1981, 2003, 2005; 329.025, RSMo 2005; and 329.120, RSMo 1939, amended 1945, 1947, 1959, 1979, 1981, 1995, 2001.*

20 CSR 2085-4.020 Change of Name and Mailing Address

PURPOSE: This rule requires a license holder to provide the board with a current name and mailing address.

(1) A licensee shall ensure that the office has their current legal name and address.

(2) Except as otherwise provided by statute or by regulation of the board, a licensee whose address has changed shall inform the office of the address change in writing within thirty (30) days of the effective date.

(3) A licensee whose name is changed by marriage or court order shall notify the office in writing within thirty (30) days of the name change and provide a copy of the appropriate documents verifying the name change.

AUTHORITY: sections 329.025 and 329.025.1(7), RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: 329.025, RSMo 2005.*

20 CSR 2085-4.030 Duplicate License

PURPOSE: This rule establishes the procedure necessary to obtain a duplicate license.

(1) No person shall use or post any certificate, registration or license issued by the board within any barber or cosmetology establishment that has been photocopied or reproduced. Valid duplicate licenses may only be obtained from the board's office.

(2) If a license has been destroyed, lost, mutilated beyond practical usage or was never received, the licensee must obtain a duplicate license from the board. The licensee may choose one (1) of the following options:

(A) The licensee shall appear and present the applicable duplicate license fee established in 20 CSR 2085-3.010; or

(B) The licensee shall appear and present a notarized affidavit stating that the license has been destroyed, lost, mutilated beyond practical usage, or was never received. No fee is required with this option. The board may discipline any person who fails to provide truthful and accurate information on an affidavit submitted to the board, as provided in Chapters 328 and 329, RSMo.

(3) To obtain a duplicate license under either of the options in section (2), a licensee must personally appear at the board's office in Jefferson City. Directions to the office may be obtained by contacting the board office or on the board's website at www.pr.mo.gov. In addition to his/her appearance at the board office, a licensee must produce the following items:

(A) One (1) form of identification as described in 20 CSR 2085-4.040; and

(B) Two (2) United States passport photographs of the licensee measuring approximately two inches by two inches (2" × 2") which have been taken within the last five (5) years.

(4) If a licensee recovers the original license after obtaining a duplicate license in accordance with this regulation, the licensee shall mail the original license to the board office within ten (10) days.

AUTHORITY: sections 328.130, 329.025.1 and 329.110.1, RSMo Supp. 2007 and 329.123, RSMo 2000. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: 328.130, RSMo 1939, amended 1981, 2005; 329.025, RSMo 2005; 329.110, RSMo 1939, amended 1945, 1947, 1949, 1951, 1967, 1969, 1981, 2003, 2005; and 329.123, RSMo 1959, amended 1979, 1981, 1989.*

20 CSR 2085-4.040 Requirement of Identification

PURPOSE: This rule establishes the requirement that all licensees must have on their person a form of state identification while providing any barber or cosmetology service.

(1) All licensees must possess or obtain one (1) of two (2) forms of state identification.

(A) The first acceptable form of identification is an automobile driver's license from any state; or

(B) The second acceptable form of identification is a Missouri state identification card. Missouri state identification cards may be obtained from the Missouri Department of Revenue's offices throughout the state.

(2) All licensees must carry one (1) of these forms of identification with them at all times when providing any professional barber or cosmetology services. Licensees must immediately produce one (1) of these forms of identification upon demand to any board inspector, to the board or its representative.

AUTHORITY: section 329.025.1(7), RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: 329.025, RSMo 2005.*

20 CSR 2085-4.050 Certification of Licensure, Training Hours or Exam Scores

PURPOSE: This rule establishes the procedure necessary to obtain a certification of licensure, training hours or examination sources.

(1) Any licensee desiring a certification/affidavit of his/her licensure, training hours, examination scores, or any combination of these, shall submit to the board a written request which contains the licensee's name, address, license number and signature and directs who the information may be sent to. The request shall be submitted with the required fee.

AUTHORITY: sections 329.127, RSMo 2000 and 329.025.1, RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: 329.025, RSMo 2005 and 329.127, RSMo 1959, amended 1979, 1981, 1995.*



20 CSR 2085-4.060 Inspections

PURPOSE: This rule establishes the requirements necessary for inspection of barber and cosmetology schools and establishments.

(1) Every establishment and school licensed by the board shall be open to inspection by members, representatives, or inspectors of the board during normal working hours or at reasonable times as requested by the board. It shall be the responsibility of the holder(s) of the establishment or school license to keep the board informed of the licensee's business hours and to make the establishment or school available for inspection by the board or its representative. Establishment or school licensees shall promptly respond to a request by the board for a list of times during which the establishment or school is open.

AUTHORITY: sections 328.090, 328.115, 329.025.1, 329.040 and 329.045, RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: 328.090, RSMo 1939, amended 1947, 1949, 1951, 1981, 2005; 328.115, RSMo 1981, 2005, 2006; 329.025, RSMo 2005; 329.040, RSMo 1939, amended 1945, 1959, 1979, 1981, 1987, 1989, 1995, 1997, 2001; and 329.045, RSMo 1951, amended 1959, 1961, 1979, 1981, 1995, 1997, 2005, 2006.*

Rules of **Department of Commerce and Insurance**

Division 2085—Board of Cosmetology and Barber Examiners

Chapter 5—Barber Licensing

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2085—Board of Cosmetology
and Barber Examiners
Chapter 5—Barber Licensing**

**20 CSR 2085-5.010 Licensure by
Examination for a Barber**

PURPOSE: This rule establishes the requirements and procedures for obtaining a barber license by examination.

(1) All applicants for a barber license shall meet all requirements in section 328.080, RSMo, and the applicable rules of the board before taking the examination.

(2) Application for examination shall be made on the forms provided by the board. Applications may be obtained by writing or calling the board. The mailing address is: PO Box 1062, Jefferson City, MO 65102 and the telephone number is (573) 751-0805 or toll free number is (866) 762-9432. The TDD number is (800) 735-2966.

(3) Upon graduation from a Missouri school licensed by the board, or an apprentice barber establishment, an application for examination may be obtained from the school, apprentice supervisor or the board upon a satisfactory showing that training requirements are completed. Applicants that have currently graduated from an out-of-state licensed barber school or apprentice barber establishment, and upon satisfactory showing that training requirements are completed, may obtain an application for examination from the board.

(4) No training received in a school may be credited towards the fulfillment of the hours necessary in an apprenticeship program and no training received in a barber establishment may be credited towards the hours required in a school to meet the minimum requirements necessary to qualify for a state examination.

(5) Temporary Permit. An individual who has applied to take the state examination may, at the same time, apply for a temporary permit to practice as a barber. Individuals operating under a temporary permit shall be under the supervision of a barber currently licensed by the board. A temporary permit issued to a student or apprentice will be terminated if the student or apprentice fails to pass an examination or fails to appear for a scheduled examination. Thereafter, the person may practice as a barber in Missouri only after passing a state examination and receiving a

license. An additional temporary permit shall not be extended for any individual.

(6) In order to be scheduled for examination, all training hours must be completed and a properly completed application on a form supplied by the board must be received by the board within five (5) years from the date the board issues the relevant student/apprentice license. The Application for Examination/Temporary Permit Form must be received in the test administrator's office, along with all applicable examination fees, no less than fourteen (14) days prior to the date of the scheduled examination the applicant desires to take. Applications received after the cut-off date and all applications received after every available space for the examination has been filled, whether that application was received prior to or after this cut-off date, shall be scheduled for the next regularly scheduled examination. Applicants shall comply with all applicable rules of the test administrator.

(7) At the discretion of the board, the examination may be administered by the board or its authorized representative or the board may contract with a third party for testing/examination services. All parts of the examination must be passed for licensure. The minimum passing examination scores required for licensure as a barber are seventy-five (75) for the practical examination and a score of seventy-five (75) for the written examination.

(8) Failure of any portion of the examination will require the applicant to reapply with the applicable fee for examination. Applicants shall be required to retake only the portion(s) of the examination that were failed.

(9) Pursuant to Chapter 328, RSMo and the board's statutory duty to assess qualifications and skill, training completed by a student or apprentice shall be recognized by the board for a period of no more than five (5) years from the date it is received.

(10) Upon notification from the board of passing scores on both portions of the examination for licensure as a barber, the applicable fee for a license shall be submitted to the board to lawfully practice as a barber. If the fee is not submitted to the board within two (2) years of notification from the board of passing scores, the applicant shall reapply to retake both portions of the examination.

(11) Barber License Posted. Upon licensure, every licensed barber shall post a current license issued by the board in front of the bar-

ber's working chair where it shall be readily seen by all patrons.

AUTHORITY: sections 328.080 and 329.025.1, RSMo Supp. 2008. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Amended: Filed April 3, 2009, effective Sept. 30, 2009.*

**Original authority: 328.080, RSMo 1939, amended 1947, 1949, 1951, 1959, 1981, 2004, 2005 and 329.025, RSMo 2005, amended 2008.*

**20 CSR 2085-5.020 Credit for Out-of-State
Barber Training**

PURPOSE: This rule establishes the requirements for obtaining a barber license when training hours have been obtained outside of Missouri.

(1) Credit for Out-of-State Barber Training.

(A) Any person who lawfully practiced or received training in another state or country who does not qualify for licensure without examination may apply to the board for licensure by examination. The board will evaluate the applicant's experience and training to determine the extent to which the applicant's training and experience satisfies current Missouri licensing requirements. Any person that receives credit for out-of-state training but still does not meet the qualifications to take the Missouri barber examination will receive notice from the board of the exact training requirements necessary to completely satisfy the state examination qualifications as set forth in chapter 328, RSMo. The applicant for licensure under this subsection shall pay the appropriate examination and licensure fees.

1. An applicant for the Missouri barber examination, as an apprentice or a student, who has obtained training hours outside Missouri may be given credit for those training hours so long as they were received from a licensed barber school or licensed apprentice program in another state.

2. For purposes of review of an application for examination from an applicant pursuant to section 328.085.2, RSMo, an applicant's training and experience will be deemed to satisfy current Missouri licensing requirements if the training and experience is substantially the same as the training and experience requirements for barbers in section 328.080, RSMo and Column A of rule 20 CSR 2085-12.030(1).

(B) Any person desiring credit for training received in another state shall submit an affidavit completed by the state licensing board



or the school where the hours were completed which verifies the following: applicant name; school name and address; date of termination of training; total hours earned by the student and distribution of those hours by subject for each of the subject areas required by section 328.080, RSMo and Column A of rule 20 CSR 2085-12.030(1), for which credit is sought. The affidavit shall be completed on a form supplied by the board and shall also contain the name and title of the person completing the form, the date completed and the state board seal, school seal or notary statement. Training completed by the applicant shall be recognized by the board for a period of no more than five (5) years.

(C) All foreign documents or documents not in the English language must be certified by a board approved credential evaluating service.

AUTHORITY: sections 328.080.4, 328.085.2 and 329.025.1, RSMo Supp. 2007.* *Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

*Original authority: 328.080, RSMo 1939, amended 1947, 1949, 1951, 1959, 1982, 2004, 2005; 328.085, RSMo 1981, amended 2005; and 329.025, RSMo 2005.

20 CSR 2085-5.030 Reciprocity

PURPOSE: This rule establishes the requirements for obtaining barber licensure by reciprocity.

(1) Application for licensure by reciprocity shall be made on the forms provided by the board. Applications may be obtained by writing the board at PO Box 1062, Jefferson City, MO 65102. The telephone number is (573) 751-0805 or toll free number is (866) 762-9432 and TDD number is (800) 735-2966.

(2) An applicant with a current license to engage in the practice of barbering from another state or territory which has requirements equal to or greater than those in Missouri at the time the applicant was licensed or who has lawfully practiced barbering in another state for at least two (2) years, may be granted licensure in Missouri without examination provided the applicant submits evidence acceptable to the board.

(3) For purposes of this rule, "evidence acceptable to the board" shall include, but not be limited to, the following:

(A) Completed application on a form provided by the board;

(B) Verification on a form provided by the

board, to be completed by the out-of-state licensing agency, verifying the barber training completed by the applicant and that the applicant is licensed as a barber in that state and that the license is current and in good standing;

(C) Pursuant to section 328.080, RSMo, a medical examination report on a form provided by the board which must be completed and signed by a licensed medical doctor (M.D.) or doctor of osteopathy (D.O.); and

(D) Applicable fee.

(4) Applicants who do not meet the requirements for licensure by reciprocity shall be notified by the board regarding deficiencies and shall be informed of the action necessary to qualify for examination.

(5) If an applicant is required to take any portion of the examination, the applicant shall comply with the applicable provisions of 20 CSR 2085-5.010.

(6) Upon notification from the board of an approved application for licensure by reciprocity, the applicable fee for the issuance of a Missouri barber license shall be submitted to the board.

(7) Any person who does not meet the qualifications for licensure by reciprocity shall be required to meet all of Missouri's requirements for licensure as set forth in chapter 328, RSMo, and the rules of the board including, but not limited to, all training and examination requirements. However, upon request by the applicant, the board may waive the examination required by section 328.080.2, RSMo, for any applicant who has previously taken the examination presently administered in Missouri, or its equivalent, and obtained a passing score as defined by the rules of this board. Such applicant shall submit to the board a written request to waive the examination requirement by examination score endorsement and pay the examination score endorsement fee.

AUTHORITY: sections 328.080 and 329.025.1, RSMo Supp. 2007.* *Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

*Original authority: 328.080, RSMo 1939, amended 1947, 1949, 1951, 1959, 1982, 2004, 2005 and 329.025, RSMo 2005.

20 CSR 2085-5.040 Barber Renewal and Inactive License Requirements

PURPOSE: This rule establishes renewal and inactive licensure requirements.

(1) As used in this rule, the following terms shall mean:

(A) License—shall include certificate or registration and the term licensee shall include registrant.

(B) Inactive Licensee—A currently licensed barber who has signed an affidavit that he/she is not practicing as a barber in Missouri.

(2) Renewals. Every two (2) years (biennially) the renewal application for active licensees must be completed, signed, accompanied by the appropriate renewal fee, and returned to the board office prior to the expiration date of the license. All licenses shall expire on September 30 of each odd-numbered year. Any application postmarked after September 30 will be returned and the applicant will be required to reinstate.

(A) Any barber whose license has expired who wishes to restore the license shall make application to the board by submitting the following within two (2) years of the license renewal date:

1. An application for renewal of licensure; and

2. The current renewal fee and the reinstatement fee, as set forth in 20 CSR 2085-3.010.

(B) Failure of a licensee to receive the notice and application to renew his/her license shall not excuse him/her from the requirements of sections 328.110, RSMo, to renew that license. A license, which has not been renewed prior to the renewal date, or placed on inactive status, shall expire on the renewal date.

(C) Any licensee who fails to renew shall not perform or offer to perform any act for which a license is required.

(3) Any licensed barber whose license has expired more than two (2) years may reinstate that license as set forth in section 328.110, RSMo, and 20 CSR 2085-5.050.

(4) Inactive License—A barber may choose to place his/her license on an inactive status by signing a change in licensure status affidavit stating that he/she will not practice as a barber in Missouri and submitting that application to the board office along with the inactive license fee. An inactive license will be issued to individuals requesting inactive status. All inactive licenses shall expire on September 30 of each odd-numbered year. Licensees shall renew an inactive license prior to the expiration date and pay the inactive license fee.

(A) If an inactive barber decides to again practice as a barber, he/she must complete a reactivation application and submit it along



with the current renewal fee for active licensees.

(B) An inactive barber is not eligible to practice in Missouri and will be subject to disciplinary action if he/she practices or offers to practice in Missouri.

AUTHORITY: sections 620.150, RSMo 2000 and 328.110 and 329.025.1, RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: 328.110, RSMo 1939, amended 1945, 1947, 1949, 1951, 1967, 1969, 1981, 2003, 2005; 329.025, RSMo 2005; and 620.150, RSMo 1998.*

AUTHORITY: sections 328.110.2 and 329.025.1, RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: 328.110, RSMo 1939, amended 1945, 1947, 1951, 1967, 1969, 1981, 2003, 2005 and 329.025, RSMo 2005.*

20 CSR 2085-5.050 Reinstatement of Expired Barber Licenses

PURPOSE: This rule establishes the requirements for reinstatement of an expired barber license.

(1) The holder of an expired license to practice barbering may submit an application to the board to reinstate that license within two (2) years of the date the license expired. The application shall be on a form supplied by the board and shall be accompanied by the license renewal fee plus the reinstatement fee.

(2) Examination Required. Any person who has allowed his/her license to practice barbering to expire for a period of more than two (2) years but less than five (5) years may submit an application to the board to reinstate that license by examination. The examination shall consist of the practical portion of the licensure examination. The application shall be properly completed on a form supplied by the board and shall include or be accompanied by:

- (A) The individual's license number, if known;
- (B) The examination fee;
- (C) Two (2) United States passport photographs measuring approximately two inches by two inches (2" × 2") which have been taken within the last five (5) years; and
- (D) Other information as the board may require.

(3) Any person who has allowed his/her license to practice barbering to expire for a period of more than five (5) years may submit an application to the board to reinstate that license by examination. However, applicants for reinstatement must pass both portions of the barber licensure examination. Applicants for reinstatement by examination pursuant to this subsection shall be governed by 20 CSR 2085-5.010.



**Rules of
Department of Commerce and
Insurance**

**Division 2085—Board of Cosmetology and Barber
Examiners**

Chapter 6—Barber Instructors

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2085—Board of Cosmetology
and Barber Examiners
Chapter 6—Barber Instructors**

**20 CSR 2085-6.010 Licensure of Barber
Instructors**

PURPOSE: This rule establishes requirements for obtaining an instructor license by examination.

(1) An applicant for an instructor license by examination shall first hold a current Missouri barber license.

(2) Application for an instructor licensure by examination shall be made on the forms provided by the board. Applications may be obtained by writing or calling the board. The mailing address is: PO Box 1062, Jefferson City, MO 65102 and the telephone number is (573) 751-0805 or toll free number is (866) 762-9432. The TDD number is (800) 735-2966.

(3) In order to be scheduled for examination, the Application for Examination/Temporary Permit Form must be received in the test administrator's office, along with all applicable examination fees, no less than fourteen (14) working days prior to the first date of each scheduled examination. Applications received after the cut-off date and all applications received after every available space for the examination has been filled, whether that application was received prior to or after this cut-off date, shall be scheduled for the next regularly scheduled examination. Applicants shall comply with all rules of the test administrator.

(4) Temporary Permit. An individual who has applied to take the state examination may, at the same time, apply for a temporary permit to practice as an instructor. Individuals operating under a temporary permit shall be under the supervision of a barber instructor currently licensed by the board. A temporary permit will be terminated if the instructor applicant fails to pass an examination or fails to appear for a scheduled examination. Thereafter, the person may practice as a licensed barber instructor in Missouri only after passing a state examination and receiving a license. A temporary permit shall not be extended for any individual.

(5) The examination may be administered by the board or its designee in three (3) portions; one (1) written, one (1) practical, and one (1) presentation of a lesson plan. The board may

contract with a third party for testing/examination services.

(6) Failure of any portion of the examination will require the applicant to reapply to retake the examination. An applicant shall be required to retake only the portion(s) of the examination that was failed.

(7) Upon notification from the board of passing scores on all three (3) portions of examination for licensure as an instructor, the applicable fee for an instructor license must be submitted to the board within two (2) years of the passing examination date or applicant shall reapply to the board for reexamination of all three (3) portions of the examination.

AUTHORITY: sections 328.090 and 329.025.1, RSMo Supp. 2008.* Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Amended: Filed April 3, 2009, effective Sept. 30, 2009.

**Original authority:* 328.090, RSMo 1939, amended 1947, 1949, 1951, 1981, 2005 and 329.025, RSMo 2005, amended 2008.

Rules of Department of Commerce and Insurance

Division 2085—Board of Cosmetology and Barber Examiners

Chapter 7—Cosmetology Licensing

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2085—Board of Cosmetology
and Barber Examiners
Chapter 7—Cosmetology Licensing**

**20 CSR 2085-7.010 Qualifications for State
Cosmetology Examinations**

PURPOSE: This rule establishes qualifications and requirements for the state cosmetology examination.

(1) Qualifications for State Exam.

(A) No person shall be admitted to take a state examination except upon a satisfactory showing that training requirements have been completed.

(B) No training received in a school may be credited towards the fulfillment of the hours necessary in an apprenticeship program and no training received in a beauty cosmetology establishment may be credited towards the hours necessary in a school to meet the minimum requirements necessary to qualify for a state examination.

(C) For the purpose of meeting the minimum requirements for examination, training hours completed by a student or apprentice shall only be recognized by the board for a period of five (5) years from the date the board issues the relevant student or apprentice license to the person.

(D) In order to be scheduled for examination, all training hours must be completed and a properly completed application on a form supplied by the board must be received by the board within five (5) years from the date the board issued his/her student or apprentice license. The Application for Examination/Temporary Permit Form must be received in the test administrator's office, along with all applicable examination fees, no less than fourteen (14) days prior to the date of the scheduled examination the applicant desires to take. Applications received after this cut-off date and all applications received after every available space for the examination has been filled, whether that application was received prior to or after this cut-off date, shall be scheduled for the next regularly scheduled examination.

(E) The minimum passing examination scores required for licensure as an operator are seventy-five (75) for the practical examination and seventy-five (75) for the written examination.

(2) Temporary Permit. An individual who has been approved to take the state examination may, at the same time, apply for a temporary permit to practice cosmetology in the specif-

ic classification for which the individual has applied for licensure. An individual operating under a temporary permit shall be under the supervision of a person currently licensed by the board in the specific classification of cosmetology in the specific classification of the temporary permit. A temporary permit issued to a student or apprentice pursuant to section 329.060, RSMo, will be terminated if the student or apprentice fails to pass an examination or fails to appear for a scheduled examination. Thereafter, the person may practice any of the classified occupations of cosmetology in Missouri only after passing a state examination and receiving a license. An additional temporary permit shall not be issued to any individual.

(3) Failure of State Exam.

(A) Any person desiring to retake an examination for any reason will be required to submit a Re-Examination Scheduling Request Form, along with the appropriate fee to the test administrator's office before being scheduled for the examination.

(B) Any person that fails any portion of the cosmetology examination three (3) times shall be required to obtain additional training of not less than forty (40) hours in each of those subjects failed, not to exceed one hundred sixty (160) hours total. The additional training shall be certified by any school of cosmetology licensed by this board. After additional training has been obtained, any person desiring to retake the examination will be required to submit a Re-Examination Application to the test administrator's office, along with the regular examination fee. Any apprentice that desires to retake the cosmetology licensure examination shall comply with the requirements pursuant to 20 CSR 2085-7.010(3)(B).

(C) Any apprentice that fails any portion of the cosmetology examination three (3) times shall be required to obtain additional training of not less than eighty (80) hours in each of those subjects failed, not to exceed three hundred twenty (320) hours total. The additional training shall be certified by an apprentice supervisor licensed by this board. After additional training has been obtained, any person desiring to retake the examination will be required to submit a Re-Examination Application to the test administrator's office, along with the regular examination fees. Any apprentice that desires to retake the cosmetology licensure examination shall comply with the requirements of 20 CSR 2085-7.010(3)(B).

(4) Credit for Out-of-State or Out-of-Country Training.

(A) Any person who lawfully practiced or received training in another state or country who does not qualify for licensure without examination may apply to the board for licensure by examination. The board will evaluate the applicant's experience and training to determine the extent to which the applicant's training and experience satisfies current Missouri licensing requirements. Any person that receives credit for out-of-state training or out-of-country training but still does not meet the qualifications to take the Missouri cosmetology examination will receive notice from the board of the exact training requirements necessary to completely satisfy the state examination qualifications as set forth in Chapter 329, RSMo. The applicant for licensure under this subsection shall pay the appropriate examination and licensure fees.

1. An applicant for the Missouri cosmetology examination, as an apprentice or a student, who has obtained training hours outside Missouri, may be given credit for those training hours so long as they were received from a licensed school of cosmetology or licensed apprentice program in the other state or country.

2. For purposes of review of an application for examination from an applicant pursuant to section 329.050.2, RSMo, a school of cosmetology or an apprentice program in another state or territory of the United States, province or country shall be considered to have substantially the same requirements as an educational establishment licensed pursuant to Chapter 329, RSMo, if the board is satisfied that it has substantially the same requirements as set forth in section 329.040.3-7, RSMo, and rule 20 CSR 2085-12.050(1)(A).

(B) Any person desiring credit for training received in another state shall submit an affidavit completed by the state licensing board or the school where the hours were completed which verifies the following: applicant name; school name and address; date of termination of training; total hours earned by the student and distribution of those hours by subject for each of the subject areas required by section 329.040, RSMo or 20 CSR 2085-12.050(1)(A), for which credit is sought. The affidavit shall be completed on a form supplied by the board and shall also contain the name and title of the person completing the form, the date completed and the state board seal, school seal or notary statement. Training completed by the applicant shall be recognized by the board for a period of no more than five (5) years from the date it was received.



(C) All foreign documents or documents not in the English language must be certified by a board approved credential evaluating service.

AUTHORITY: sections 329.025.1, 329.050, 329.060, and 329.130.2, RSMo Supp. 2008. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Amended: Filed April 3, 2009, effective Sept. 30, 2009.*

**Original authority: 329.025, RSMo 2005, amended 2008; 329.050, RSMo 1939, amended 1945, 1949, 1961, 1981, 1989, 1995, 1996, 2001, 2005; 329.060, RSMo 1939, amended 1945, 1959, 1979, 1981, 1995, 2005; and 329.130, RSMo 1939, amended 1945, 1959, 1961, 1979, 1981, 1995, 2005.*

20 CSR 2085-7.020 Practice Outside of or Away from Cosmetology Establishments

PURPOSE: This rule establishes the licensing procedure and requirements for the practice of a licensee practicing one of the classified occupations of cosmetology, hairdressing, manicuring or esthetics outside or away from his/her principal office, place of business or employment as authorized under section 329.110.2, RSMo.

(1) As used in this rule, the following terms shall mean:

(A) Licensed cosmetology establishment means a bona fide principal office or place of business or employment, licensed by the board, which is regularly operated for the purpose of engaging in the practice of cosmetology; and

(B) Principal establishment means the location or establishment where the licensee practices as a cosmetologist fifty-one percent (51%) of the total hours per week spent by the licensee practicing cosmetology.

(2) A cosmetologist shall only provide cosmetology services in a licensed cosmetology establishment. However, a licensed cosmetologist may periodically provide cosmetology services outside of or away from a licensed cosmetology establishment, provided that, the alternate location is not the licensee's principal establishment, as defined by this rule, and the license complies with 20 CSR 2085-7.020(3) and (4).

(3) Certificate of Identification.

(A) Requirement. Each and every time a licensee provides cosmetology services to any person outside a licensed cosmetology establishment, the licensee must deliver a completed certificate of identification to the person receiving the cosmetology services. The licensee shall deliver the completed certifi-

cate of identification prior to performing any cosmetology services.

1. Every certificate of identification shall include the following information:

A. The licensee's name;
B. The licensee's signature;
C. The licensee's operator license number;

D. The expiration date of licensee's operator license;

E. The name and post office address of the person receiving the cosmetology services; and

F. The date the licensee delivered the certificate of identification to the person receiving the cosmetology services.

2. Any licensee may obtain a certificate of identification form from the board free of charge. A licensee may obtain this certificate of identification form upon written request to the board office. Licensees may reproduce the certificate of identification form as needed.

(B) Use of Certification of Identification. Licensees may use certificates of identification to provide only those cosmetology services that the licensee is licensed and trained to perform. All licensees performing services outside a licensed cosmetology establishment with a certificate of identification must comply with all relevant sanitation regulations governing the practice of cosmetology.

(4) Portable Kit Requirements.

(A) All supplies and implements shall be transported in an airtight container and all implements, towels and instruments shall be sterilized and wrapped or stored in individual plastic containers. All kits shall be kept clean.

(B) Sterilized implements, towels and instruments shall be kept completely separate and apart from used materials.

AUTHORITY: sections 329.025.1, 329.035 and 329.110.2, RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: 329.025, RSMo 2005; 329.035, RSMo 1995, amended 2005; and 329.110, RSMo 1939, amended 1945, 1981, 1995, 2005.*

20 CSR 2085-7.030 Reciprocity and Out-of-State Training for Cosmetology

PURPOSE: This rule establishes the licensing procedure and requirements for reciprocal licensing for out-of-state applicants for cosmetology as authorized in section 329.130, RSMo.

(1) Reciprocity for Cosmetology Operators. Upon making application to the board, the board shall issue a Missouri certificate of registration or license without an examination to a person who has practiced cosmetology for at least two (2) consecutive years in another state, territory of the United States, or the District of Columbia. The board shall also issue a Missouri certificate of registration or license without an examination to a person who holds a current cosmetology license in another state, territory of the United States, or the District of Columbia, provided the requirements for licensure, including but not limited to the training and examination requirements therein, are substantially equal or superior to those in Missouri at the time of application. A "substantially equal" number of training hours is ninety-five percent (95%) or more of the training hours required in Missouri for any given classification. The application shall be properly completed on a form supplied by the board and shall be accompanied by the following:

(A) An affidavit completed by the state licensing agency verifying the type of license held by the applicant in that state;

(B) Two (2) United States passport photographs measuring two inches by two inches (2" × 2") taken within the last five (5) years; and

(C) The cosmetology reciprocity fee.

(2) Reciprocity for Cosmetology Instructors. Upon making application to the board, the board shall issue a Missouri cosmetology instructor's license to an individual who holds a current cosmetology instructor license in another state, territory of the United States, or District of Columbia, provided the requirements for licensure, including but not limited to the training and examination requirements, are substantially equal or superior to those in force in Missouri at the time the individual files the application. A "substantially equal" number of training hours is ninety-five percent (95%) or more of the training hours required in Missouri for the cosmetology instructor license requested. The application shall be properly completed on a form supplied by the board and shall be accompanied by the following:

(A) An affidavit completed by the state licensing agency verifying that the applicant is licensed as an instructor in that state;

(B) Two (2) United States passport photographs measuring two inches by two inches (2" × 2") taken within the last five (5) years; and

(C) The instructor reciprocity fee.



(3) Any reciprocity applicant requesting licensure will be required to complete an open book state law test, which will be included with the reciprocity application.

(4) Any person who does not meet the qualifications for licensure by reciprocity shall be required to meet all of Missouri's requirements for licensure as set forth in Chapter 329, RSMo, including, but not limited to, all training and examination requirements. However, upon request by the applicant, the board may waive the examination required by section 329.050.1(4), RSMo for any applicant who has previously taken the examination presently administered in Missouri, or its equivalent, and, obtained a passing score as defined by the rules of this board. Such applicant shall submit to the board a written request to waive the examination requirement by examination score endorsement and pay the examination score endorsement fee.

AUTHORITY: sections 329.080.3, RSMo 2000 and 329.025.1, 329.085.5 and 329.130, RSMo Supp. 2007.* Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.

*Original authority: 329.025, RSMo 2005; 329.080, RSMo 1939, amended 1945, 1949, 1959, 1978, 1979, 1981, 1989, 1995, 1997; 329.085, RSMo 1989, amended 1995, 1997, 2001 and 329.130, RSMo 1939, amended 1945, 1959, 1961, 1979, 1981, 1995, 2005.

20 CSR 2085-7.040 Cosmetologist Renewal and Inactive Status Requirements

PURPOSE: This rule establishes renewal and inactive licensure requirements.

(1) As used in this rule, the following terms shall mean:

(A) License—shall include certificate of registration and the term licensee shall include registrant; and

(B) Inactive license—a currently licensed “Class CA,” “Class CH,” “Class MO,” or “Class E” cosmetologist who has signed an affidavit that he/she is not practicing cosmetology in Missouri.

(2) Renewals. Every two (2) years (biennially) the renewal application for active licensees must be completed, signed, accompanied by the appropriate renewal fee, and returned to the board office prior to the expiration date of the license. All licenses shall expire on September 30 of each odd-numbered year. Any application postmarked after September 30 will be returned and the applicant will be required to reinstate.

(A) Any cosmetologist whose license has

expired who wishes to restore the license shall make application to the board by submitting the following within two (2) years of the license renewal date:

1. Reinstatement application for renewal of licensure; and

2. The current renewal fee and the late fee, as set forth in 20 CSR 2085-7.050.

(B) Failure of a licensee to receive the notice and application to renew his/her license shall not excuse him/her from the requirements of section 329.120, RSMo to renew that license. A license, which has not been renewed prior to the renewal date, or placed on inactive status, shall expire on the renewal date.

(C) Any licensee who fails to renew shall not perform or offer to perform any act for which a license is required.

(3) Inactive License—A cosmetologist may choose to place his/her license on an inactive status by signing a change in licensure status affidavit stating that he/she will not engage in the practice of cosmetology in Missouri and submitting that application to the board office along with the inactive license fee. An inactive license will be issued to individuals requesting inactive status. All inactive licenses shall expire on September 30 of each odd-numbered year.

(A) If an inactive cosmetologist decides to again practice cosmetology, he/she must complete a reactivation application form and submit it along with the current renewal fee.

(B) An inactive cosmetologist is not eligible to practice in Missouri and will be subject to disciplinary action if he/she practices or offers to practice in Missouri.

(4) Anyone licensed in the classified occupations of cosmetology whose license has expired more than two (2) years may reinstate that license as set forth in section 329.120, RSMo, and 20 CSR 2085-7.050.

AUTHORITY: sections 620.150, RSMo 2000 and 329.025.1 and 329.120, RSMo Supp. 2007.* Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.

*Original authority: 329.025, RSMo 2005; 329.120, RSMo 1939, amended 1945, 1947, 1959, 1979, 1981, 1995, 2005; and 620.150, RSMo 1998.

20 CSR 2085-7.050 Reinstatement of Expired License

PURPOSE: This rule establishes requirements for reinstatement of an expired license.

(1) The holder of an expired license to prac-

tice any of the classified occupations of cosmetology may submit an application to the board to reinstate that license within two (2) years of the date the license expired. The application shall be on a form supplied by the board and shall be accompanied by the license renewal fee plus the late fee.

(2) Examination Required.

(A) Any person who has allowed his/her license to practice any of the classified occupations of cosmetology to expire for a period of more than two (2) years may submit an application to the board to reinstate that license by examination. The examination shall consist of the practical portion of the licensure examination. The application shall be properly completed on a form supplied by the board and shall include or be accompanied by the individual's license number, the license renewal fee and the late fee, two (2) United States passport photographs measuring approximately two inches by two inches (2" × 2") which have been taken within the last five (5) years and other information as the board may require.

(B) In order to be scheduled for examination to reinstate an expired license, the properly completed application must be received by the test administrator's office, along with the required fees, no fewer than fourteen (14) days prior to the date of the scheduled examination the applicant desires to take. Applications received after this cut-off date and all applications received after every available space for the examination has been filled, whether that application was received prior to or after this cut-off date, shall be scheduled for the next regularly scheduled examination.

AUTHORITY: sections 329.025.1 and 329.120, RSMo Supp. 2008.* Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Amended: Filed April 3, 2009, effective Sept. 30, 2009.

*Original authority: 329.025, RSMo 2005, amended 2008 and 329.120, RSMo 1939, amended 1945, 1947, 1959, 1979, 1981, 1995, 2005.

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2085—Board of Cosmetology
and Barber Examiners
Chapter 8—Cosmetology Instructors and
Instructor Trainees**

**20 CSR 2085-8.010 Registration of
Instructor Trainees**

PURPOSE: This rule establishes the requirements an applicant shall meet to qualify for an instructor training program.

(1) Any person desiring to enroll as an instructor trainee shall contact the school of intended enrollment and complete an instructor trainee enrollment form supplied by the board. At least two (2) weeks prior to the anticipated commencement of the instructor trainee's program of instruction, the properly completed form shall be submitted by the school to the board and shall include or be accompanied by the following:

(A) Proof of successful completion of a twelfth grade education (diploma or General Educational Development (GED) certificate);

(B) A sworn statement by the applicant that he/she is in good physical and mental health;

(C) Two (2) United States passport photographs measuring two inches by two inches (2" x 2") that have been taken within the last five (5) years and the enrollment fee.

(2) No person shall be given credit for any training received in a school until a properly completed instructor trainee enrollment form has been received and approved by the board and an instructor trainee license is returned to the school. The applicant shall only be eligible for an instructor trainee license for the classified occupation(s) of cosmetology for which the applicant is currently licensed as an operator. If the enrollment school is not licensed to teach and instruct in all classified occupations of the trainee, the instructor trainee shall be limited to the instructor license classification of the school. The instructor trainee license shall expire on the expiration date.

(3) For the purpose of meeting the minimum requirements for examination, training completed within a school of cosmetology by an instructor trainee shall be recognized by the board for a period of no more than five (5) years from the date it is received.

(4) Change of Status. For any instructor trainee desiring to make a change to his/her original enrollment application, continue training at the time application is made for examination or continue training beyond the expiration of the instructor trainee license, an

application for change of status shall be made to the board on a form supplied by the board. The form shall be accompanied by the instructor trainee license and the enrollment fee and shall be postmarked no later than three (3) days from the effective date of the change of status. The change of status application shall include an interim certificate which shall be good for twenty (20) days from the date of application and shall be retained by the school to serve as the training license for the instructor trainee until the amended license is received from the board.

(5) Any instructor trainee applicant requesting credit for college courses in teaching methodology must submit to the board a certified transcript together with a course description certified by the administering education institution that shows the college course was primarily directed to teaching methodology. Four and one-half (4 1/2) college credit hours in teaching methodology may be substituted for three hundred (300) hours of training (one hundred (100) hours for each three (3) college credit hour course). The three hundred (300) hours will be partially reduced in proportion to college credit hours in teaching methodology of less than four and one-half (4 1/2) hours.

(6) Any instructor trainee applicant requesting credit for full-time work experience as a licensed Class CA, Class CH, Class MO or Class E shall submit to the board an affidavit of work experience completed by each employer on a form supplied by the board. Three (3) years of experience may be substituted for three hundred (300) hours of training. The three hundred (300) hours will be proportionately reduced for experience greater than six (6) months but less than three (3) years.

(7) After completing six hundred (600) hours of instructor training and successfully passing the instructor examination, an instructor may teach any of the classifications of cosmetology provided he/she possesses a current operator and instructor license in the appropriate classification(s) for which he/she desires to teach.

AUTHORITY: sections 329.080, RSMo 2000 and 329.025.1, RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: 329.025, RSMo 2005 and 329.080, RSMo 1939, amended 1945, 1949, 1959, 1978, 1979, 1981, 1989, 1995, 1997.*

**20 CSR 2085-8.020 Minimum/Maximum
Hours Accepted**

PURPOSE: This rule establishes the maximum and minimum daily course hours accepted for instructor trainees.

(1) All instructor trainees shall be enrolled in a course of study of no less than three (3) hours per day and no more than twelve (12) hours per day, with a weekly total that is not less than fifteen (15) hours and no more than seventy-two (72) hours per week.

(2) Each school or public institution shall define for its own purpose what constitutes a full-time, part-time or evening instructor trainee.

AUTHORITY: sections 329.080, RSMo 2000 and 329.025.1 and 329.040, RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: 329.025, RSMo 2005; 329.040, RSMo 1939, amended 1945, 1959, 1979, 1981, 1987, 1989, 1995, 1997, 2001; and 329.080, RSMo 1939, amended 1945, 1949, 1959, 1978, 1979, 1981, 1989, 1995, 1997.*

**20 CSR 2085-8.030 Qualifications for
Instructor Examination**

PURPOSE: This rule establishes the requirements an applicant shall meet in order to take the written and oral part of the examination.

(1) Because state law requires an instructor trainee to have completed a minimum of six hundred (600) hours of instructor training before he/she will be allowed to take the examination, no instructor trainee will be scheduled to take the examination, except upon satisfactorily showing that the training requirements have been completed or that the person has been licensed three (3) or more years as a cosmetologist, manicurist, or esthetician. Instructor trainees who have been licensed three (3) or more years as a cosmetologist, manicurist, or esthetician that choose to complete additional instructor training may substitute three (3) years of experience for three hundred (300) hours of instructor training.

(2) For purposes of meeting the minimum standards necessary to sit for the examination, training completed by an instructor trainee shall be recognized by the board for a period of no more than five (5) years from the date it is received.



(3) In order to be scheduled for the instructor examination, a properly completed application must be received by the test administrator's office, along with the required fee, no less than fourteen (14) days prior to the date of the scheduled examination the applicant desires to take. Applications received after this cut-off date, and all applications received after every available space for the examination has been filled, whether that application was received prior to or after this cut-off date, shall be scheduled for the next regularly scheduled examination.

(4) Application for examination shall be made on a form provided by the test administrator. The form shall be properly completed and shall be accompanied by the following:

(A) A certification of payment of contractual fees completed by the school on a form supplied by the test administrator; and

(B) The instructor trainee license.

(5) The minimum passing examination scores required for licensure as an instructor are seventy-five (75) for the written examination and seventy-five (75) for the oral examination.

AUTHORITY: sections 329.025.1, 329.085, and 329.090, RSMo Supp. 2008. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Amended: Filed April 3, 2009, effective Sept. 30, 2009.*

**Original authority: 329.025, RSMo 2005, amended 2008; 329.085, RSMo 1989, amended 1995, 1997, 2001; and 329.090, RSMo 1939, amended 1945, 1995, 2005.*

20 CSR 2085-8.040 Failure of State Examination

PURPOSE: This rule establishes requirements for re-examination pertaining to failure of state examination.

(1) An instructor trainee who fails the examination may reapply for an instructor trainee license under the procedure set forth in 20 CSR 2085-12.090(5) and return to school for further training.

(2) Any person desiring to reapply for the instructor examination shall be required to submit a Re-Examination Application, and his/her instructor trainee temporary permit to the test administrator's office, along with the required fee.

(3) The temporary permit issued to an instructor trainee shall be returned to the board upon failing the examination or failing

to appear for a scheduled examination. An additional permit shall not be issued to any individual and the instructor trainee may work as an instructor only after passing the state examination and receiving an instructor license.

AUTHORITY: sections 329.025.1, 329.085.1, and 329.100, RSMo Supp. 2008. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Amended: Filed April 3, 2009, effective Sept. 30, 2009.*

**Original authority: 329.025, RSMo 2005, amended 2008; 329.085, RSMo 1989, amended 1995, 1997, 2001; and 329.100, RSMo 1939, amended 1945, 1995, 2005.*

20 CSR 2085-8.050 Transfer

PURPOSE: This rule establishes the procedure necessary to transfer schools.

(1) Any instructor trainee desiring to change schools shall contact the school in which he/she is currently enrolled and request termination. The school shall terminate the instructor trainee as required by 20 CSR 2085-12.090(7) within two (2) weeks of the trainee's request to be terminated. After the proper termination papers and the instructor trainee license have been received by the board, the instructor trainee may apply for enrollment with another school approved for instructor training in accordance with 20 CSR 2085-8.010(1).

(2) For the purpose of meeting the minimum requirements for examination, training completed by an instructor trainee who has transferred between schools or has had a lapse of time between enrollments in the same school shall be recognized by the board for a period of no more than five (5) years from the date it was received.

AUTHORITY: sections 329.080, RSMo 2000 and 329.025.1 and 329.085, RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: 329.025, RSMo 2005; 329.080, RSMo 1939, amended 1945, 1949, 1959, 1978, 1979, 1981, 1989, 1995, 1997; and 329.085, RSMo 1989, amended 1995, 1997, 2001.*

20 CSR 2085-8.060 Reinstatement of Expired Instructor License

PURPOSE: This rule establishes the requirements for recertification of instructor license.

(1) The holder of an expired instructor license may submit an application to reinstate that license to the board within two (2) years of the date the license expired. The application shall be on a form supplied by the board and shall be accompanied by the instructor license renewal fee plus the late fee and proof of having attended an instructor training seminar or workshop within two (2) years of the date of application which has been sponsored by a university, a Missouri vocational association or bona fide state cosmetology association specifically approved by the board and other information as the board may require.

(2) Any person who has allowed his/her instructor license to expire for a period of more than two (2) years may submit a Re-Examination Application to the test administrator's office, along with the required fee, to reinstate that license through examination. The examination shall consist of the written and oral portions. The application shall be properly completed on a form supplied by the test administrator and shall be accompanied by:

(A) The examination fee;

(B) Proof of his/her attendance within two (2) years of the date of application at a teacher training seminar or workshop sponsored by a university, a Missouri vocational association or bona fide state cosmetology association specifically approved by the board;

(C) Proof of having completed at least a four (4) year high school course of study or the equivalent as determined by the Missouri State Board of Education (high school diploma or general educational development (GED) certificate); and

(D) Proof of having completed six hundred (600) hours of instructor training as set forth in 20 CSR 2085-12.090(3) and (4).

AUTHORITY: sections 329.025.1, 329.085.3, 329.085.6, and 329.120, RSMo Supp. 2008. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Amended: Filed April 3, 2009, effective Sept. 30, 2009.*

**Original authority: 329.025, RSMo 2005, amended 2008; 329.085, RSMo 1989, amended 1995, 1997, 2001; and 329.120, RSMo 1939, amended 1945, 1947, 1959, 1979, 1981, 1995, 2005.*

20 CSR 2085-8.070 Instructor Renewal and Inactive License Requirements

PURPOSE: This rule establishes requirements of the statutes pertaining to renewal of instructor license.



(1) In this section, the following terms shall mean:

(A) License—shall include certificate of registration and the term licensee shall include registrant; and

(B) Inactive license—a currently licensed “Class CA,” “Class CH,” “Class MO,” or “Class E” cosmetologist who has signed an affidavit that he/she is not practicing cosmetology in Missouri.

(2) Renewals. Every two (2) years (biennially) the renewal application for active licensees must be completed, signed, accompanied by the appropriate renewal fee, and returned to the board office prior to the expiration date of the license. The biennial instructor renewal fee shall be submitted in addition to the regular operator renewal fee.

(A) Renewal is contingent upon attending a board-approved seminar and submitting to the board proof of eight (8) hours of attendance issued by seminar sponsors, showing the date and place of the seminar. Each licensed instructor shall be required to attend a board-approved seminar within the two (2) years immediately preceding the renewal date and shall submit evidence of attendance with the renewal application.

(B) Each instructor shall indicate on his/her instructor renewal application the school name and location where he/she is currently employed as an instructor or must state if he/she is not currently employed as an instructor.

(C) Instructors holding a Missouri license, but not teaching or residing in Missouri, may attend an approved seminar of the state in which they reside for license renewal providing the program is sponsored by a university or bona fide cosmetology association and is at least eight (8) hours. All seminar certifications shall contain a sworn statement from that state board that the program was approved for instructor license renewal. Should the state not have continuing education requirements for instructor license renewal, then the instructor license renewal would be contingent upon attending a seminar approved by the board.

(D) Instructor licenses shall expire on September 30 of each odd-numbered year. The biennial renewal fee shall be due and payable by the expiration date and if the fee remains unpaid after that, a late fee shall be charged in addition to the renewal fee.

(E) Failure of a licensee to receive the notice and application to renew his/her license shall not excuse him/her from the requirements of section 329.120, RSMo to renew that license. A license, which has not been renewed prior to the renewal date, or placed

on inactive status, shall expire on the renewal date. Any licensee who fails to renew shall not perform or offer to perform any act for which a license is required.

(3) Inactive Licenses. An instructor may choose to place his/her license on an inactive status by signing a change in licensure status affidavit stating that he/she will not engage in the practice of instructing cosmetology in Missouri and submitting that application to the board office along with the inactive license fee. An inactive license will only be issued to individuals requesting inactive status.

(A) If an inactive instructor decides to again practice cosmetology he/she must complete a reactivation application and submit it along with the current renewal fee. Each inactive instructor shall attend a board approved seminar within the two (2) years immediately preceding the reactivation date and submit evidence of attendance with the reactivation application for each activated license.

(B) An inactive instructor is not eligible to teach while holding an inactive license and will be subject to disciplinary action if he/she teaches or offers to teach in Missouri.

(4) Approval of Instructor Seminar Training.

(A) All seminar programs must be submitted by the sponsoring university or association to the board for approval prior to the first day of the calendar year in which the seminar is scheduled to be held and no later than sixty (60) days prior to the scheduled date of the seminar. Seminar programs submitted for approval must include the following information:

1. A copy of the proposed program schedule;
2. An outline of the subject matter;
3. The identity and qualifications of the speakers or instructors; and
4. The number of hours of the presentation (minimum of eight (8) hours required).

(B) Seminar sponsors shall be responsible for accurate attendance records and shall provide the board with an alphabetical listing of names, addresses, and license numbers of those granted certificates of attendance and shall furnish evidence of attendance to the instructors showing the date and place of the seminar, signed by the sponsor secretary, or chairman, and shall indicate state board approved.

AUTHORITY: sections 329.025.1 and 329.085, RSMo Supp. 2013.* Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Amended: Filed Nov. 26, 2013, effective July 30, 2014.

*Original authority: 329.025, RSMo 2005 and 329.085, RSMo 1989, amended 1995, 1997, 2001.

20 CSR 2085-8.080 Credit for Out-of-State Instructor Training

PURPOSE: This rule establishes the percentage of credit given for instructor training received outside Missouri.

(1) Any person desiring to take the Missouri state instructor examination who has had part or all of his/her training outside of Missouri shall be given credit for all training that meets the requirements in section 329.080, RSMo and 20 CSR 2085-8.040(2).

(2) Any person not meeting the qualifications to take the state instructor examination although given credit for out-of-state training by the board will be given notice of the exact training requirements necessary to satisfy state instructor examination qualifications.

(3) Any person meeting the qualifications to take the state instructor examination by receiving credit for out-of-state training may apply for examination on a form supplied by the board and the application shall contain or be accompanied by the following:

(A) An affidavit completed by the state licensing board or the school in the state where the hours were completed which verifies the following: applicant name, school name and address, date of termination/graduation from the school, total hours earned by the individual and distribution of those hours by subjects as required by section 329.080, RSMo. The affidavit shall be completed on a form supplied by the Missouri State Board of Cosmetology and Barber Examiners and shall contain the name and title of the person completing the form, the date completed and the state board seal, school seal or notary statement. Training completed by the applicant shall be recognized by the board for a period of no more than five (5) years from the date it was received;

(B) A copy of high school diploma or general educational development (GED) certificate as proof of education. The applicant shall have an education equivalent to the successful completion of the twelfth grade;

(C) Two (2) United States passport photographs measuring two inches by two inches (2" × 2") which have been taken within the last five (5) years; and

(D) An affidavit completed by the applicant's school on a form supplied by the board verifying that all contractual fees have been paid by the applicant.



(4) Reciprocity. Any individual who holds a current instructor license in another state, territory or the District of Columbia where the requirements are substantially equal or superior to those in force in Missouri at the time of application may apply for an instructor license without examination in accordance with the requirements of 20 CSR 2085-7.030(2).

(5) Any individual who holds a current, valid instructor license in another state, territory, the District of Columbia or foreign country, state or province where the requirements are not substantially equal to those in force in Missouri at the time of application is not eligible to obtain a Missouri instructor license by reciprocity. A "substantially equal" number of training hours is ninety-five percent (95%) or more of the training hours required in Missouri for the cosmetology instructor license requested. The individual shall be exempt from the training requirements set forth in section 329.080, RSMo and may apply to take the instructor licensure examination, provided he/she can provide to the board proof of work experience of not less than one (1) year as a cosmetology instructor within the three (3)-year period immediately preceding the application for examination. The examination shall consist of the written and oral portions of the examination and application shall be made on a form provided by the board and shall be accompanied by the following:

(A) An affidavit completed by the licensing agency verifying the instructor training completed by the applicant, that the applicant is licensed as an instructor in that state, territory, country or province and that the license is current and in good standing;

(B) An affidavit of instructor work experience completed by each employer on a form supplied by the board verifying the dates of employment as a licensed instructor;

(C) A copy of high school diploma or GED certificate (applicant shall have an education equivalent to the successful completion of the twelfth grade); and

(D) Two (2) United States passport photographs measuring two inches by two inches (2" × 2") taken within the last five (5) years.

(6) Any individual who holds a current, valid instructor license in another state, territory, District of Columbia, or foreign country, state or province where the requirements are not substantially equal to those in force in Missouri at the time of application and who does not have instructor work experience of at least one (1) year within the three (3)-year period immediately preceding the application

shall not be eligible for the Missouri instructor examination until having met training requirements set forth in section 329.080, RSMo. A "substantially equal" number of training hours is ninety-five percent (95%) or more of the training hours required in Missouri for any given classification.

(7) All foreign documents or documents not in the English language that are submitted pursuant to this rule must be certified by a board approved credential evaluating service.

*AUTHORITY: sections 329.025.1 and 329.085.5, RSMo Supp. 2007. * Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: 329.025, RSMo 2005 and 329.085, RSMo 1989, amended 1995, 1997, 2001.*

Rules of
Department of Commerce and
Insurance

Division 2085—Board of Cosmetology and Barber
Examiners

Chapter 9—Apprenticeships—Barber and Cosmetology

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2085—Board of Cosmetology
and Barber Examiners
Chapter 9—Apprenticeships—Barber
and Cosmetology**

20 CSR 2085-9.010 Apprentices

PURPOSE: This rule establishes qualifications and requirements for barber and cosmetology apprentices.

(1) Apprentice Registration.

(A) Any person desiring to enter into an apprenticeship training program shall contact the establishment of intended enrollment and obtain an enrollment form supplied by the board. At least two (2) weeks prior to the commencement of any program of instruction, the person seeking registration as an apprentice shall return the completed enrollment form to the barber or cosmetology establishment of intended enrollment and that establishment, if the student is accepted, shall approve it and submit it to the board. The form shall be accompanied by the proper fee(s) and include the following information:

1. The applicant's name and address;
2. The name and address of the establishment of enrollment;
3. Proof of age—birth certificate or driver's license (applicant must be seventeen (17) years of age by the time application is made for examination);
4. Two (2) or more character references;
5. Two (2) United States passport photographs measuring two inches by two inches (2" × 2") which have been taken within the last five (5) years;
6. Signature of the applicant;
7. Signature of the proposed apprentice supervisor;
8. For applicants for a barber apprenticeship, a medical examination form pursuant to section 328.030, RSMo; and
9. For applicants for a cosmetology apprenticeship, proof of successful completion of the tenth grade (completion of at least ten (10) high school credits)—diploma, general educational development (GED) certification or official school transcript indicating student's name, grade level, and number of credits completed. All foreign documents or documents not in the English language must be certified by a board approved credential evaluating service.

(B) No person shall be given credit for any training received as an apprentice until a properly completed apprentice enrollment

form has been received and approved by the board and an apprentice license is returned to the establishment. The apprentice license shall expire on the expiration date. A new application shall be submitted should the apprentice wish to continue training beyond the expiration date.

(C) Change of Status. Any apprentice desiring to change his/her course or location (not supervisors) must apply to the board for a change of status. Any other alteration (such as a change of apprentice supervisors) will require a termination. An application for change of status shall be made to the board on a form supplied by the board. The form shall be accompanied by the apprentice license and the enrollment application fee and shall be postmarked no later than three (3) days from the effective date of the change of status. The change of status application shall include an interim certificate which shall be valid for twenty (20) days from the date of application and shall be retained by the applicable barber or cosmetology establishment to serve as the training license for the apprentice until the amended license is received from the board.

(D) The apprentice license is not transferable.

(2) Enrollment for Apprentice Training.

(A) Except as otherwise provided by the rules of the board, all persons desiring to enter a program of apprenticeship training in Missouri shall satisfy all general student requirements that are applicable to the license sought.

(B) In order for an apprentice to be enrolled for training by a qualified supervisor, the applicant must:

1. Complete an apprentice enrollment application; and
2. Have an apprentice enrollment application submitted to the board on his/her behalf at least fourteen (14) days prior to the anticipated commencement of the apprentice's training. No apprentice shall receive credit for training received at a barber or cosmetology establishment until the apprentice enrollment application is approved and received by the board and both the apprentice license and the apprentice supervisor certificate are received and conspicuously posted in the establishment where the apprentice training will be conducted.

(C) Apprentice applicants must comply with 20 CSR 2085-12.060.

(3) Minimum Requirements for Apprentice Training.

(A) Barber apprenticeship training in Missouri shall provide a minimum of two thousand (2,000) hours of training for a peri-

od not to exceed five (5) years. Subjects of apprenticeship study shall conform to Column B in 20 CSR 2085-12.030(1).

(B) Cosmetology apprenticeship training in Missouri shall provide a minimum of three thousand (3,000) hours of training for cosmetology, a minimum of fifteen hundred (1,500) hours of training for estheticians or a minimum of eight hundred (800) hours for manicuring. Subjects of apprenticeship study shall conform to the applicable requirements of Columns B, C, and D in 20 CSR 2085-12.050(1)(A).

(C) For the purposes of meeting the minimum requirements for examination, training completed by an apprentice who has transferred between establishments or has had a lapse of time between enrollments in the same establishment shall be recognized by the board for a period of no more than five (5) years from the date it was received.

(D) All apprentices shall be under the supervision of the approved apprentice supervisor or an acting supervisor as provided by the rules of the board.

(E) Apprentices shall receive no less than one (1) hour of combined lectures and demonstrations each business day, excluding Saturday.

(4) Application for Examination.

(A) Upon a successfully completed course of apprentice training, provided the board is in receipt of a completed apprentice transcript and apprentice registration, the apprentice may apply for the state examination. In order to be scheduled for examination, all training hours must be completed and a properly completed application on a form supplied by the board must be received by the board within five (5) years from the date the board issued his/her student or apprentice license. The Application for Examination/Temporary Permit must be received in the test administrator's office, along with the required fee, no less than fourteen (14) days prior to the date of the scheduled examination the applicant desires to take. Applications received after this cut-off date and all applications received after every available space for the examination has been filled, whether that application was received prior to or after this cut-off date, shall be scheduled for the next regularly scheduled examination.

(B) The minimum passing examination scores required for licensure as an operator are seventy-five (75) for the practical examination and seventy-five (75) for the written examination.

(C) Upon completion of apprentice training, the apprentice registration to work in a current licensed establishment under the



supervision of a licensed barber or, for cosmetology apprentices, a licensed cosmetologist, may be extended by the board to ten (10) days following the date of the first available examination for licensure. Extended apprentice registrations shall be posted in front of the working chair. Extended apprentice registrations must be returned to the board upon expiration.

(5) Failure of any apprentice barber or cosmetology establishment, apprentice supervisor, or apprentice licensed by the board to comply with these rules and curriculum shall be considered grounds for suspension or revocation of a license to operate an apprentice barber or cosmetology establishment in this state.

(6) Apprentice Attire. All apprentices shall wear washable clothing while in attendance.

(7) Posting of Apprentice License. Each apprentice shall ensure the apprentice license is conspicuously posted with a two inch square (2" × 2") photograph attached which has been taken within the last five (5) years. The apprentice license is not transferable.

AUTHORITY: sections 328.075, 328.080, 329.025.1, 329.060, 329.070, and 329.090, RSMo Supp. 2008. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Amended: Filed April 3, 2009, effective Sept. 30, 2009.*

**Original authority: 328.075, RSMo 2004, amended 2005; 328.080, RSMo 1939, amended 1947, 1949, 1951, 1959, 1981, 2004, 2005; 329.025, RSMo 2005, amended 2008; 329.060, RSMo 1939, amended 1945, 1959, 1979, 1981, 1995, 2005; 329.070, RSMo 1939, amended 1945, 1949, 1951, 1959, 1979, 1981, 1989, 2005; 329.090, RSMo 1939, amended 1945, 1995, 2005.*

20 CSR 2085-9.020 Apprentice Supervisors

PURPOSE: This rule establishes qualifications and requirements for barber and cosmetology apprentice supervisors.

(1) Apprentice Supervisors.

(A) Any person desiring to practice as an apprentice supervisor shall have been licensed as a barber or cosmetologist by the board for not less than two (2) years immediately prior to application as an apprentice supervisor. Said person shall provide to the board:

1. The name and address of the apprentice to be supervised;
2. The name and address of the licensed establishment;
3. The floor plan of the proposed apprentice establishment;

4. The contract, if any, between the apprentice supervisor and the apprentice;

5. An apprentice supervisor application properly completed on a form supplied by the board;

6. Two (2) letters of character reference for the apprentice supervisor;

7. Two (2) additional letters of reference from licensed cosmetologists or licensed barbers for applicants for a barber or cosmetology apprentice supervisor license, affirming the applicant's competence as a professional cosmetologist or professional barber;

8. Two (2) United States passport photographs measuring two inches square (2" × 2") taken within the last five (5) years;

9. An affidavit promising that the apprentice supervisor shall be physically present at all times that his/her apprentice is receiving credited hours toward the required minimum for testing. For emergency purposes, one (1) secondary licensed barber from the apprentice establishment, or one (1) secondary cosmetologist, manicurist, or esthetician from the apprentice establishment for cosmetology apprentice applicants, shall be named as acting apprentice supervisor. The acting supervisor shall not be responsible for more than a total of five percent (5%) of the total hours of supervision for the apprentice (or no more than a total of one hundred fifty (150) hours for cosmetology apprentices, one hundred (100) hours for barber apprentices or forty (40) hours for manicuring apprentices). The designation of an acting apprentice supervisor is limited to cases of sickness, vacation, or emergencies of the apprentice supervisor and any misuse of this privilege shall result in discipline of the supervisor's certificate. The acting apprentice supervisor shall hold a current license consistent with the training of the apprentice and must be named and approved;

10. Application for a board-approved training session emphasizing teaching methodology. Those apprentice supervisor applicants who currently are licensed instructors in the state of Missouri may forego the training session for becoming a supervisor; and

11. For cosmetology apprentice supervisor applicants, proof of successful completion of a twelfth grade education (diploma or general educational development (GED) certificate).

(B) Training and Licensure.

1. Upon the receipt by the board of all items required by subsection (1)(A), the board shall schedule the applicant for seminar training as an apprentice supervisor.

2. Upon the successful completion of the seminar, the board shall issue the appli-

cant a certificate as an apprentice supervisor. The apprentice supervisor certificate shall expire upon the apprentice's completion of training hours. The apprentice supervisor certificate is nontransferable and nonrenewable, unless an extension of the certificate is necessary for the apprentice to complete his/her hours. The apprentice supervisor certificate shall be conspicuously displayed within the apprentice establishment with a two inch square (2" × 2") photograph taken within the last five (5) years.

3. The apprentice supervisor shall not hold him/herself out as a school and shall not train/supervise more than one (1) apprentice at a time. The apprentice supervisor shall not accept any fee from the apprentice or any representative of the apprentice for instruction, rent, supplies, equipment or any other necessary tools for instruction.

4. All previously approved apprentice supervisors applying to supervise an apprentice after September 1, 1995, shall comply with all regulations for apprentice supervisors as set forth in this rule.

5. The apprentice supervisor has thirty (30) days to begin training of the apprentice subsequent to attending the board-approved training session as referenced in this rule.

6. The board shall grant a waiver of completion of a board-approved training session provided:

(A) Within the first six (6) months of the date of issuance of the apprentice supervisor certificate either party terminates the training; and

(B) The apprentice supervisor reapplies to supervise a new apprentice within the same six (6) months.

(2) Apprentice Registration.

(A) It shall be the responsibility of the apprentice supervisor to submit to the board at least fourteen (14) days prior to the anticipated date of the beginning of the apprentice training the following:

1. A completed apprentice application for admission to apprentice training for the proposed apprentice, with all of the information for the apprentice required by 20 CSR 2085-9.010; and

2. The applicable fee.

(B) Upon board approval of an apprentice application for admission to apprentice training, the board shall issue to the apprentice supervisor an apprentice registration. The registration of each apprentice shall be conspicuously posted at the appropriate station at all times and shall have a two inch square (2" × 2") photograph attached which has been taken within the last five (5) years. Each apprentice and apprentice supervisor shall



ensure the apprentice license is posted as required by this rule.

(C) The apprentice license is not transferable.

(3) Equipment.

(A) Cosmetology apprentice supervisors must provide:

1. All of the equipment required for cosmetology students under 20 CSR 2085-12.040(2)(T) and (Y) for Class-CA cosmetology students;

2. All of the equipment required for manicuring students under 20 CSR 2085-12.070(3)(P) and (R); or

3. All of the equipment required for esthetician students under 20 CSR 2085-12.080(4)(N) and (T).

(B) Barber apprentice supervisors must provide the following equipment: barber station, mannequin, current textbook on theory, and barbering supplies.

(4) Minimum Requirements for Apprentice Training.

(A) Barber apprenticeship training in Missouri shall provide a minimum of two thousand (2,000) hours of training for a period not to exceed five (5) years. Subjects of apprenticeship study shall conform to Column B in 20 CSR 2085-12.030(1).

(B) Cosmetology apprenticeship training in Missouri shall provide a minimum of three thousand (3,000) hours of training for cosmetology, a minimum of fifteen hundred (1,500) hours of training for estheticians or a minimum of eight hundred (800) hours for manicuring. Subjects of apprenticeship study shall conform to the applicable requirements of Columns B, C, and D in 20 CSR 2085-12.050(1)(A).

(C) For the purposes of meeting the minimum requirements for examination, training completed by an apprentice who has transferred between cosmetology establishments or has had a lapse of time between enrollments in the same cosmetology establishment shall be recognized by the board for a period of no more than five (5) years from the date it was received.

(D) All apprentices shall be under the supervision of the approved apprentice supervisor or an acting supervisor as provided by the rules of the board.

(E) Apprentices shall receive no less than one (1) hour of combined lectures and demonstrations each business day, excluding Saturday.

(5) Mandatory Reporting. The apprentice supervisor shall maintain a weekly log, on a form supplied by the board, documenting the

total number of training hours the apprentice obtained on a daily basis. The training hours shall be allocated by subject in the core areas listed on the form. The weekly log shall be kept on premises at all times and made available to the board or its representative upon request. The apprentice supervisor shall submit monthly reports to the board office by the tenth day of the following month for the apprentice in training on forms supplied by the board. Upon termination of training by the apprentice, the supervisor shall submit to the board within two (2) weeks a properly completed termination form supplied by the board. The form shall list the total number of training hours completed by the apprentice, allocated by subject area, the date the apprentice terminated training, and shall be accompanied by the apprentice's license and any unused materials supplied by the board.

(6) General Rules.

(A) An apprentice supervisor shall not allow any person under the age of seventeen (17) years to enroll as an apprentice.

(B) Apprentice supervisors shall ensure that the apprentice's license is conspicuously posted at the appropriate station at all times with a two inch square (2" x 2") photograph attached which has been taken within the last five (5) years. The apprentice license is not transferable.

(C) The apprentice supervisor license is not transferable.

(D) All work performed by the apprentice on a customer shall be inspected and approved by an apprentice supervisor before the customer exits the apprentice establishment.

AUTHORITY: sections 328.075, 328.130, 329.025.1, and 329.050.1, RSMo Supp. 2008.* Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Amended: Filed July 22, 2009, effective Jan. 30, 2010.

*Original authority: 328.075, RSMo 2004, amended 2005; 328.130, RSMo 1939, amended 1981, 2005; 329.025, RSMo 2005, amended 2008; and 329.050, RSMo 1939, amended 1945, 1949, 1961, 1981, 1989, 1995, 1996, 2001, 2005.

20 CSR 2085-9.030 Apprentice Establishments

PURPOSE: This rule establishes licensing requirements for all barber and cosmetology apprentice establishments.

(1) General Rules.

(A) The licensed establishment shall be duly inspected and approved by the board or

its authorized representative prior to commencement of apprentice training.

(B) Any establishment advertising the services of an apprentice, in addition, shall provide notice, in print one-half (1/2) the size of the establishment name, that the apprentice is a student.

(C) The apprentice establishment shall not hold itself out as a school and shall not train/supervise more than one (1) apprentice at a time. The apprentice establishment shall not accept any fee from the apprentice or any representative of the apprentice.

(D) For cosmetology apprentices, subjects of apprenticeship study shall conform to the applicable requirements of Columns B, C and D in 20 CSR 2085-12.050(1)(A).

(E) For barber apprentices, subjects of apprenticeship study shall conform to Column B of 20 CSR 2085-12.030(1).

(F) An apprentice establishment shall maintain an actual record of the exact number of hours worked each day by each apprentice and shall maintain current transcripts and records of each apprentice enrolled, including the hours and dates of attendance and grades of all examinations.

(G) The building and quarters the apprentice establishment occupies shall be clean, well painted, well ventilated and adequately lighted with sufficient room.

(H) Apprentice establishments shall be in compliance with all applicable sanitation rules. Pursuant to section 328.060.2, RSMo, barber apprentice establishments shall post the sanitation rules in a conspicuous place within the barber establishment.

AUTHORITY: sections 328.075, 328.115, 329.025.1 and 329.045, RSMo Supp. 2007.* Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.

*Original authority: 328.075, RSMo 2004, amended 2005; 328.115, RSMo 1981, amended 2005, 2006; 329.025, RSMo 2005; and 329.045, RSMo 1951, amended 1959, 1961, 1979, 1981, 1995, 1997, 2005, 2006.

Rules of Department of Commerce and Insurance

Division 2085—Board of Cosmetology and Barber Examiners

Chapter 10—Establishments (Shops)—Barber and Cosmetology

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2085—Board of Cosmetology
and Barber Examiners
Chapter 10—Establishments (Shops)—
Barber and Cosmetology**

**20 CSR 2085-10.010 Licensing—Barber
Establishments and Cosmetology
Establishments**

PURPOSE: This rule establishes licensing requirements for all barber and cosmetology establishments.

(1) New Barber Establishments or Cosmetology Establishments.

(A) Except as provided herein, any person desiring to open a barber or cosmetology establishment in Missouri, whether a beauty shop, nail salon, or other cosmetology establishment, shall submit an application to the board at least thirty (30) days prior to the anticipated opening of the establishment. The establishment license application shall be submitted on a form provided by the board, accompanied by the biennial establishment fee, and include the following information:

1. The name and complete mailing address of the owner(s) or lessor(s) and lessee(s). If the establishment is owned by a corporation, include the name and complete mailing address of the corporate office;

2. The establishment's name and complete physical address;

3. A copy of the proposed/existing establishment's floor plan, including the approximate dimensions and square footage, specifically identifying which portions of the establishment constitute the establishment to be licensed;

4. The minimum equipment required by the board for the establishment to be licensed; and

5. If applicable, copies of the fictitious name statement registered with the secretary of state, bill of sale or sales receipt, contract or lease agreement, and city business or occupational license.

(B) Upon receipt of a properly completed establishment license application, the board, within a reasonable time, will make a decision to approve or deny the application. In the event the board denies an application, the applicant shall be notified, in writing, of the specific reasons for denial.

(C) No establishment shall open in Missouri until the board receives a completed application, on a form supplied by the board, the biennial establishment fee is paid, the establishment passes a board inspection, and the application is approved by the board.

If an establishment opens for business before the board issues the original establishment license, a delinquent fee shall be assessed in addition to all other required licensure fees, and the board may take legal action pursuant to Chapter 328 and/or 329, RSMo.

(2) Rental Space/Chair Licensing. Any person licensed by the board who rents individual space or a booth/chair within a licensed establishment for the purposes of practicing as a barber or cosmetologist shall be required to obtain a separate establishment license for the rental space. Licensees that rent individual space or a booth/chair within a licensed barber or cosmetology establishment for the purposes of operating as a barber or cosmetologist must possess a current establishment license as well as an operator license. This section does not apply to licensees operating as establishment employees.

(A) Each establishment license issued to a renter under this rule shall be valid only for the licensee, address, and name identified in the initial establishment license application.

(B) Applications for an establishment license under this subsection shall be submitted on a form provided by the board and shall comply with the requirements defined in 20 CSR 2085-10.010(1)(A)1.-4.

(C) Change of Location or Ownership. If the location or ownership of the establishment changes during the license period, the owner shall submit an application for a new establishment license to the board within forty-five (45) days after the ownership or location change with the applicable change of location and/or change of ownership fee.

1. The board shall not issue a license for the new ownership or location until the establishment passes a board inspection, the establishment is in compliance with all applicable sanitation rules under 20 CSR 2085-11.010 and 20 CSR 2085-11.020 and the application is approved by the board.

2. The original license of the establishment shall become void as to the new location and/or new owners upon expiration of the forty-five (45)-day period and shall be returned to the board.

3. No barber or cosmetology services shall be performed or offered to be performed under the new ownership or at the new location after the forty-five (45)-day period expires until the establishment is issued a license by the board for the new owners and/or new location.

(D) Name Changes. If at any time during the license period the name of the establishment is changed, the original establishment license shall become void as to the prior name and the license holder shall submit an

application to the board for an establishment license for the new name with the duplicate fee. The application must be made in writing and shall be accompanied by two (2) forms of identification, a duplicate license fee and, if applicable, the establishment license currently in the license holder's possession. No barber or cosmetology services shall be performed or offered to be performed under the new name until an establishment license is issued by the board for the new name. The board shall be notified immediately in writing by the license holder(s) of an establishment name change.

(E) Display of License. The current establishment license for the rental space/chair shall be posted in a conspicuous place at all times. The licensee's barber or cosmetology license shall also be posted at each respective work station.

(F) Application for an establishment license under this section shall be made on forms provided by the board and accompanied by the biennial establishment fee.

(G) Except as provided herein, no person shall provide or offer to provide barber or cosmetology services at a rented space, booth or chair before an establishment license has been obtained as required by this rule. If barber or cosmetology services are performed or offered at the rented space or chair before an establishment license is issued as required by this section, a delinquent fee shall be assessed in addition to all other required licensure fees, and the board may take legal action pursuant to Chapters 328 and/or 329, RSMo.

(3) Display of License. Establishment licenses shall be posted within the establishment in plain view at all times so that it may be easily seen by the public. Establishment licenses issued to a station or booth rental establishment shall be posted in plain view at the respective work station.

(A) Operator licenses, apprentice licenses, or student temporary permits shall either be posted at each respective assigned work station or all posted together in one (1) conspicuous, readily accessible, central location within the establishment area that will allow easy identification of the persons working in the establishment by clients, board representatives, or the general public.

(B) A two inch square (2" × 2") photograph taken within the last five (5) years shall be attached to operator licenses. A two inch square (2" × 2") photograph taken within the last five (5) years shall be attached to apprentice licenses and student temporary permits.



(4) Renewals and Reinstatements.

(A) All existing, currently licensed establishments in Missouri shall submit on or before the renewal date, a completed establishment renewal application to the board with the biennial renewal fee. Renewal notices are sent out by the board as a courtesy. It is the responsibility of the holder(s) of the establishment license to renew the license by the expiration date. Failure to receive a renewal notice does not relieve the holder(s) of this responsibility.

(B) Reinstatement of License. The holder(s) of an establishment license which has not been renewed by the renewal date shall be required to submit a late fee in addition to the biennial renewal fee in order to reinstate the license. The holder(s) of the establishment license who continues to operate although the license has not been renewed shall be subject to disciplinary action for operating an unlicensed establishment if the establishment license is not reinstated within fourteen (14) days following the mailing of a notice to the holder(s) or sixty (60) days from the renewal deadline, whichever is later, for operating an establishment without a license.

AUTHORITY: sections 328.115, 329.025.1, 329.045, 329.110, and 329.120, RSMo Supp. 2008. Original rule filed Aug. 10, 2007, effective Feb. 29, 2008. Amended: Filed April 3, 2009, effective Sept. 30, 2009.*

**Original authority: 328.115, RSMo 1981, amended 2005, 2006; 329.025, RSMo 2005, amended 2008; 329.045, RSMo 1951, amended 1959, 1961, 1979, 1981, 1995, 1997, 2005, 2006; 329.110, RSMo 1939, amended 1945, 1981, 1995, 2005; and 329.120, RSMo 1939, amended 1945, 1947, 1959, 1979, 1981, 1995, 2005.*

20 CSR 2085-10.020 Barber and Cosmetology Establishment License Changes

PURPOSE: This rule establishes licensing change requirements for all barber and cosmetology establishments.

(1) Original Licensure. An establishment license shall only be valid for the owners, address, and name provided for the establishment in the initial establishment license application. The initial establishment license holder shall retain establishment ownership and responsibility for ensuring that the establishment is operated according to all applicable provisions of Chapter 328, RSMo, (for barbering) and Chapter 329, RSMo, (for cosmetology) and the regulations of the board.

(2) Change of Location or Ownership. If at any time during the license period the estab-

lishment location, name, and/or ownership changes, the owner(s) of the establishment shall submit an application for a new establishment license to the board within forty-five (45) days after the ownership or location change and the applicable change of location and/or ownership fee. The original license of the establishment shall become void as to the new location and/or new owners upon expiration of the forty-five (45)-day period and shall be returned to the board. No barber or cosmetology services shall be performed or offered to be performed under the new ownership or at the new location after the forty-five (45)-day period expires until the establishment is issued a license by the board for the new owners and/or new location.

(A) New Ownership. It is the responsibility of the new owner(s) to submit the establishment application to the board accompanied by the change of ownership fee.

(B) Adding a Co-Owner. It shall be the responsibility of the co-owners to submit the establishment location to the board accompanied by the applicable fee.

(C) Deleting a Co-Owner. If a co-owner(s) ceases ownership of an establishment, it shall be the responsibility of the establishment's remaining owner(s) to notify the board of this change in writing. The written notice shall serve as documentation of the change and a new application shall not be required.

(D) A corporation is considered by law to be a separate person. If a corporation owns an establishment, it is not necessary to obtain a new establishment license or to file an amended application for an establishment license if the owners of the stock change. However, as a separate person, if a corporation begins ownership of an establishment or ceases ownership of an establishment, a new establishment license must be obtained regardless of the relationship of the previous or subsequent owner to the corporation.

(E) An establishment license shall not be issued until the establishment passes a board inspection, the establishment is in compliance with all applicable sanitation rules and the application is approved by the board.

(3) Name Change of Establishment. If at any time during the license period the name of the establishment is changed, the original establishment license shall become void as to the prior name and the owners of the establishment shall submit an application to the board for an establishment license for the new name with the duplicate establishment fee. The application must be made in writing and shall be accompanied by two (2) forms of identification, a duplicate license fee and, if applica-

ble, the establishment license currently in the license holder's possession.

(A) The board shall be notified immediately in writing by the license holder(s) of an establishment name change.

(B) No barber or cosmetology services shall be performed or offered to be performed under the new name until the establishment is issued a license by the board for the new name.

(4) Delinquent Fee. If an establishment opens for business before the board issues a new establishment license as required by this rule following a change of location, name, or ownership, a delinquent fee shall be assessed in addition to all other required licensure fees, and the board may take legal action pursuant to Chapters 328 and 329, RSMo.

(5) Establishment Closures.

(A) Voluntary Establishment Closures. When an establishment terminates its business, the holder of the establishment license shall provide written notice of the establishment closure to the board within thirty (30) days following the closure. This written notice may be submitted on a form provided by the board or by letter. The notice must be signed by the holder of the establishment license and include the name, address and license number of the establishment, the name and address of the establishment license holder, and the date of closure. Upon actual termination of business, the establishment license shall be returned to the board for surrender either in person or by registered or certified mail. If the original license has been lost, stolen, destroyed, or was never received, the establishment license holder shall submit along with the notice of voluntary closure an affidavit attesting to such facts.

(B) Administrative Establishment Closures by the Board. When an establishment terminates its business and the establishment license holder fails to submit to the board a notice of voluntary closure, the board or its representative may administratively close the establishment by submitting notice of an administrative establishment closure to the board. The board shall provide written notice of the administrative establishment closure by mailing written notice to the establishment and to the last known address of the establishment license holder. An administrative establishment closure shall not be considered discipline.

(C) The board shall not mail a renewal application for the next licensing period to those establishments which have been voluntarily or administratively closed.



(D) No one licensed by the board may perform or offer to perform barber or cosmetology services in a closed establishment until a new establishment license has been issued by the board.

(E) Where the board administratively closes an establishment for which the establishment license has not otherwise expired, no one may perform or offer to perform barber or cosmetology services in that establishment until the holder of the establishment license notifies the board in writing that the establishment is again open for business. Upon receipt of such notice, the board shall restore the status of the establishment license for the remainder of the current licensing period, provided all fees have been paid.

AUTHORITY: sections 328.115, 329.025.1, and 329.045, RSMo Supp. 2008 and section 329.030, RSMo 2000.* *Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Amended: Filed April 3, 2009, effective Sept. 30, 2009.*

*Original authority: 328.115, RSMo 1981, amended 2005, 2006; 329.025, RSMo 2005, amended 2008; 329.030, RSMo 1939, amended 1995; and 329.045, RSMo 1951, amended 1959, 1961, 1979, 1981, 1995, 1997, 2005, 2006.

20 CSR 2085-10.030 Record Keeping

PURPOSE: *This rule establishes general requirements for barber and cosmetology establishments record keeping.*

(1) All barber and cosmetology establishment licensees shall:

(A) Designate on a form approved by the board the names of any employees practicing, or authorized to practice, as barbers or cosmetologists at the licensed establishment. The form shall remain current at all times and shall be signed by each employee as designated by the board. The form required by this section shall be maintained on the premises of the licensed establishment and shall be available to the board, its inspector or other designee, upon request; and

(B) Maintain records which verify that an employment relationship exists with any barber or cosmetologist designated as an employee pursuant to subsection (1)(A) of this rule. Records verifying an employment relationship may include, but are not limited to, payroll records, a signed employment contract or agreement or any record verifying federal or state tax withholdings, such as the Missouri Employee's Withholding Allowance Certificate (MO W-4), as amended and promulgated by the Missouri Department of Revenue, or the Quarterly Contribution and

Wage Report (MODES 4-7), as amended and promulgated by the Missouri Department of Labor and Industrial Relations. Records verifying an employment relationship shall be produced to the board within ten (10) days of the request by the board, its inspector or other designee.

AUTHORITY: sections 328.115, 329.025.1 and 329.045, RSMo Supp. 2007 and 329.030, RSMo 2000.* *Original rule filed Aug. 10, 2007, effective Feb. 29, 2008.*

*Original authority: 328.115, RSMo 1981, amended 2005, 2006; 329.025, RSMo 2005; 329.030, RSMo 1939, amended 1995; and 329.045, RSMo 1951, amended 1959, 1961, 1979, 1981, 1995, 1997, 2005, 2006.

20 CSR 2085-10.040 Specific Barber Establishment Requirements

PURPOSE: *This rule establishes specific barber establishment requirements.*

(1) Barber establishment facilities shall consist of the following:

(A) Establishment Floors. All establishments shall be either tiled or covered with linoleum or comparable floor covering and shall be in good condition. Establishment reception area floors may consist of indoor-outdoor type carpet providing a solid wall at least thirty-six inches (36") in height separates the reception area from the working area, or a distance of at least sixty inches (60") from the base of the chair to the nearest joint of the carpeting and shall remain clean;

(B) Pursuant to section 328.060.2, RSMo, sanitary rules shall be posted in a conspicuous place in every barber establishment and barber school;

(C) Shampoo Bowls and Chairs. All establishments shall have at least one (1) shampoo bowl for every three (3) chairs. Chairs shall be placed at least five feet (5') apart; and

(D) Dust tight cabinet or drawer for each chair.

AUTHORITY: sections 328.115 and 329.025.1, RSMo Supp. 2007.* *Original rule filed Aug. 10, 2007, effective Feb. 29, 2008.*

*Original authority: 328.115, RSMo 1981, amended 2005, 2006 and 329.025, RSMo 2005.

20 CSR 2085-10.050 Specific Cosmetology Establishment Requirements

PURPOSE: *This rule establishes specific cosmetology establishment requirements.*

(1) The minimum biennial fee for a cosmetology establishment shall license the establishment for up to three (3) operators, including apprentices, students with temporary permits, or both. An additional fee is required for each additional operator working in the establishment. If at any time during the license period the number of operators working in the establishment exceeds the number of operators for which the establishment is licensed, it is the responsibility of the holder(s) of the establishment license to submit written notification to the board along with the fee for each additional operator.

AUTHORITY: sections 329.010.6, 329.025.1 and 329.045, RSMo Supp. 2007.* *Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

*Original authority: 329.010, RSMo 1939, amended 1979, 1995, 2001, 2004, 2005; 329.025, RSMo 2005; and 329.045, RSMo 1951, amended 1959, 1961, 1979, 1981, 1995, 1997, 2005, 2006.

20 CSR 2085-10.060 Unlicensed Activity

PURPOSE: *This rule prohibits the activities of unlicensed persons/entities.*

(1) Pursuant to Chapters 328 and 329, RSMo, no barber or cosmetology establishment owner, manager, or proprietor shall permit any person who does not hold a current Missouri barber or cosmetology license to practice as a barber or cosmetologist in the establishment. No license or permit issued by the board shall be posted in a licensed establishment unless the license or permit is current and active, and the licensee or permit holder is an employee of the establishment or holds a current and active renter establishment license issued by the board.

(2) License Posted. Every licensed barber and cosmetologist shall post a current license issued by the board in front of the barber's working chair or the cosmetologist's work station where it shall be readily seen by all patrons.

(3) Prohibited Practices Within An Establishment. In a licensed establishment, only persons properly licensed by the board shall be allowed to perform barbering, hairdressing, manicuring, or esthetician services on any person within the establishment. The provisions of this section shall apply even if services are being provided for no compensation. For purposes of this section, barbering, hairdressing, manicuring, or esthetician services shall be defined as follows:



(A) “Barbering”—engaging in the capacity so as to shave the beard or cut and dress the hair of any person;

(B) “Esthetician services”—Using mechanical or electrical apparatuses or appliances, cosmetic preparations, antiseptics, tonics, lotions, or creams, not to exceed ten percent (10%) phenol, either directly or indirectly, in any one (1), or any combination, of the following practices: massaging, cleansing, stimulating, manipulating, exercising, beautifying, or similar work upon the scalp, face, neck, ears, arms, hands, bust, torso, legs, or feet and removing superfluous hair by means other than electric needle or any other means of arching or tinting eyebrows or tinting eyelashes of any person;

(C) “Hairdressing”—Arranging, dressing, curling, singeing, waving, permanent waving, cleansing, cutting, bleaching, tinting, coloring, or similar work upon the hair of any person by any means; or removing superfluous hair from the body of any person by means other than electricity, or any other means of arching or tinting eyebrows or tinting eyelashes. Hairdressing also includes any person who either with the person’s hands or with mechanical or electrical apparatuses or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions, or creams engages for compensation in any one (1) or any combination of the following: massaging, cleaning, stimulating, manipulating, exercising, beautifying, or similar work upon the scalp, face, neck, arms, or bust; and

(D) “Manicuring”—Cutting, trimming, polishing, coloring, tinting, cleaning, or otherwise beautifying a person’s fingernails, applying artificial fingernails, massaging, cleaning a person’s hands and arms; pedicuring, which includes cutting, trimming, polishing, coloring, tinting, cleaning, or otherwise beautifying a person’s toenails, applying artificial toenails, massaging, or cleaning a person’s legs and feet.

AUTHORITY: section 329.030, RSMo 2000 and sections 328.020, 328.130, 329.025.1, and 329.110.1, RSMo Supp. 2008. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Rescinded and readopted: Filed April 3, 2009, effective Sept. 30, 2009.*

**Original authority: 328.020, RSMo 1939, amended 2005; 328.130, RSMo 1939, amended 1981, 2005; 329.025, RSMo 2005, amended 2008; 329.030, RSMo 1939, amended 1995; and 329.110, RSMo 1939, amended 1945, 1981, 1995, 2005.*

**Rules of
Department of Commerce and
Insurance**

**Division 2085—Board of Cosmetology and Barber
Examiners**

Chapter 11—Sanitation Rules—Barber and Cosmetology

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2085—Board of Cosmetology
and Barber Examiners
Chapter 11—Sanitation Rules—Barber
and Cosmetology**

20 CSR 2085-11.010 Barber Sanitation Rules

PURPOSE: This rule establishes sanitary requirements for barber establishments, schools and persons lawfully practicing the occupation of barbering.

(1) Physical facilities of barber establishments and schools shall consist of the following:

(A) Floors, Walls, Ceilings, Windows, Equipment and Contents. All floors, walls, ceilings, windows, equipment and contents shall be kept clean and in good repair. Use of cloth or plush-covered barber chairs is strictly prohibited;

(B) Lighting and Ventilation. All facilities shall be adequately lighted and sufficient ventilation shall be provided to dispel odors, condensation, and vapors. For this purpose, ventilating equipment such as individual fans and vents shall be provided as necessary;

(C) Restrooms. All barber establishments shall provide adequate and conveniently located restrooms for use by patrons and operators. All schools shall provide two (2) or more restrooms to separately accommodate male and female students. All functional sinks in barber schools and barber establishments shall be provided with hot and cold running water, soap (liquid or powder), paper towels, and shall be kept clean and in good repair. A functional sink may be located inside or near the restrooms;

(D) Water Supply and Waste Disposal. Hot (not to exceed one hundred twenty degrees (120°) Fahrenheit) and cold water must be available to all lavatories and shampoo bowls at all times. Lavatories and shampoo bowls shall be provided with soap (liquid or powder) and paper towels;

(E) Establishments in Residences. Establishments located in buildings which are also used as residences must be separate and apart from living quarters by solid floor to ceiling partitions. The establishment must contain the equipment used in the practice of barbering and this equipment must be kept in the separated establishment area. Beds of any description are not permitted, nor shall any room(s) equipped for barber establishments have any residential purposes.

1. Every establishment located in a building also used as a residence must have a separate entrance which shall not open off the living quarters. Doorways from within the establishment area shall be kept closed at all times.

2. All establishments which exist in buildings that also have living quarters must have restroom facilities located separate and apart from the living quarters. Restroom facilities shall be adequate and conveniently located for use by patrons and operators. All lavatories shall be provided with hot and cold running water, soap (liquid or powder) and paper towels and shall be kept clean and in good repair.

3. Establishments located in buildings which are also used as residences shall comply with all requirements contained in 20 CSR 2085-11.010, in addition to complying with the specific requirements of this subsection;

(F) Establishments and Schools Used for Other Business Purposes. Establishments may be used for other business purposes, except for the sale of products and/or services that may create sanitation or safety hazards to the public and shall be at the discretion of the board. Schools shall not be used for any other business purposes. The sale of hair products is acceptable; and

(G) Washing Machines and Dryers. Any washing machine or clothes dryer shall be located in a separate room from the working area if utilized in a facility.

(2) All barber establishments and schools shall comply with:

(A) Patron Protection:

1. Headrests shall be covered with a clean towel or paper protector for each usage;

2. Clean towels shall be used for each patron. A closed container or drawer shall be provided for clean towels;

3. Soiled towels shall be placed in a leakproof, covered receptacle immediately upon completion of use;

4. A newly laundered towel or neck strip shall be placed around each patron's neck to prevent the cape or hair cloth from touching skin;

5. All implements shall be disinfected after use on each patron (refer to subsection (2)(C));

6. Persons engaged in barbering shall wash their hands with soap (liquid or powder) and water before serving each patron; and

7. Persons engaged in barbering shall not attempt to remove moles or warts from a patron;

(B) Covered Waste Receptacles. Every barber establishment or school shall be required

to have a covered waste receptacle for the disposal of hair and debris, and a covered waste receptacle for soiled towels. Hair clippings shall be swept up and disposed of in a covered receptacle after each patron;

(C) Disinfecting and Storing Implements. All implements used in barbering shall be disinfected before use on each patron with an Environmental Protection Agency (EPA)-registered disinfectant, which may be a spray solution. The label on the disinfectant shall show that it is EPA-registered with demonstrated bactericidal (disinfectant), virucidal, and fungicidal activity and shall be used according to the manufacturer's instructions. Every barber establishment or school shall have a sufficient supply of disinfectant and disinfectant that shall immediately be replaced if it becomes contaminated. All supplies that cannot be disinfected shall be disposed of in a covered waste receptacle immediately after use. Implements not in use shall be stored in a disinfectant solution or in a clean, dust-tight cabinet or drawer. The following disinfectant procedures shall be followed:

1. For non-electrical:

A. Wash in soapy water;

B. Rinse in clean water;

C. Totally immerse in an EPA-registered disinfectant used according to manufacturer's instructions;

D. Dry with clean cloth or air dry; and

E. Store in clean, dust-tight cabinet or drawer; and

2. For electrical:

A. Remove all foreign matter;

B. Disinfect with EPA-registered disinfectant according to manufacturer's instructions; and

C. Store in clean, dust-tight cabinet or drawer;

(D) Storage and Use of Products. All containers shall be covered when not in use and shall be clearly and correctly labeled to show the nature and intended use of the contents. Preparations used in barbering whose containers do not incorporate a dispensing mechanism shall be removed from their containers by using a new disposable device or a sanitized device, such as a spatula, spoon, or similar instrument, and shall not be removed by the use of the hands. Styptic pencils shall not be used in barbering;

(E) Animals/Pets. No barber establishment or school shall allow any animal/pet inside the facility at any time except for service animals whose whole purpose is to provide assistance to a patron while obtaining services;



(F) Personal Cleanliness. Every barber/student barber and their clothing, shall be kept in neat and clean condition at all times. Student barbers shall wear washable uniforms while in attendance;

(G) Disease Control. Except as otherwise provided by the Americans With Disabilities Act, a licensee, apprentice or student with a communicable disease shall take all proper precautions to prevent the spread of the disease to any person while practicing barbering or cosmetology. A licensee, apprentice or student attending a patron known by the licensee, apprentice or student to have a communicable disease shall also take all proper precautions to prevent the spread of the disease to any person, except as otherwise provided by the Americans With Disabilities Act. Disposable gloves shall be worn by any licensee, apprentice or student with open wounds, dermatitis, or other non-intact skin of the hands;

(H) Injury/Blood Spill Procedure. If a cut is sustained and/or blood spill should occur, the following steps must be followed:

1. Licensee, apprentice, student or salesperson cut/blood spill procedure:

A. Licensee, apprentice, student or salesperson must stop service immediately;

B. Clean cut area with soap (liquid or powder) and water and apply antiseptic. If necessary, liquid, spray or powder styptic may be applied to stop bleeding. Note: Do not allow containers, brushes or nozzles to touch or contact the wound—use an applicator as appropriate;

C. Cover injury with adhesive bandage;

D. If work area and/or equipment are soiled with blood, the licensee, student, apprentice or salesperson shall place disposable gloves or a finger guard on their hands and clean/disinfect the area and soiled objects;

E. Dispose of all contaminated objects and disposable gloves in a covered waste receptacle and clean hands with an antimicrobial cleanser; and

F. Place a clean disposable glove on if cut is sustained on the hand.

2. Patron cut/blood spill procedure:

A. Licensee or student barber must stop service immediately;

B. Licensee or student barber must place disposable gloves on hands;

C. Cleanse cut area of patron, apply antiseptic and/or liquid styptic or spray styptic, as necessary. Note: Do not allow container or nozzles to touch or contact the wound—use an applicator as appropriate;

D. Cover cut area with adhesive bandage as indicated;

E. If work area and/or equipment are soiled with blood, licensee or student barber shall disinfect work area and/or blood spill area and dispose of or disinfect all contaminated objects;

F. Remove and dispose of disposable gloves, and clean hands with soap (liquid or powder) and water; and

G. Return to service;

(I) Covered Waste Receptacles. Any barber establishment or school shall be required to have covered waste receptacles for the disposal of hair. Hair clippings shall be swept up and disposed of in a covered waste receptacle after each patron; and

(J) Members, representatives, or inspectors of the board, upon finding any sanitation rule being violated in any barber establishment or barber school, shall notify the person(s) and/or owner(s) who is in violation and make a written report to the board.

AUTHORITY: sections 328.060.2 and 328.100, RSMo 2000 and 328.115 and 329.025.1, RSMo Supp. 2007.* Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.

*Original authority: 328.060, RSMo 1939, amended 1949, 1981; 328.100, RSMo 1939, amended 1949, 1981; 328.115, RSMo 1981, amended 2005, 2006; and 329.025, RSMo 2005.

20 CSR 2085-11.020 Cosmetology Sanitation Rules

PURPOSE: This rule establishes sanitary requirements for schools, cosmetology establishments, and persons practicing any cosmetology occupation.

(1) Physical Facilities.

(A) Lighting and Ventilation. A minimum of thirty (30) footcandles light intensity shall be provided in all areas where all classified occupations of cosmetology are practiced. A minimum of five (5) footcandles must be provided in areas used for waiting rooms, storage, corridors, etc. For all physical facilities and retail cosmetic sales counters, sufficient ventilation shall be provided to dispel odors, condensates, and vapors. For this purpose, ventilating equipment, such as individual fans, vents and hoods, shall be provided where needed.

(B) Floors, Walls, Ceilings, Equipment, and Contents. For areas where all classified occupations of cosmetology are practiced, including retail cosmetic sales counters, all floors, walls, ceilings, equipment, and contents shall be constructed of washable materials and must be kept clean and in good repair

at all times. Commercial-type carpet may be used.

(C) Water Supply and Waste Disposal. For cosmetology establishments and schools in cities and towns where these facilities are available, water must be obtained from the public water supply system and wastewater must be drained through pipes into the public sewer system. In all towns or communities in which a public water supply or public sewer system is not available, the water must be obtained from an individual supply source approved by the Division of Environmental Quality. Wastewater and sewage must be disposed of into a suitable sewage treatment device constructed and operated in a manner approved by the Missouri Clean Water Commission. Hot and cold water must be available to all lavatories and shampoo bowls. Water from the supply to the hot water faucets must be piped through a continuous water heater capable of providing an ample supply of water not to exceed one hundred twenty degrees Fahrenheit (120 °F) at all times. All plumbing in establishments and schools shall be installed in accordance with any applicable municipal, city, or government requirements. All lavatories and shampoo bowls shall be provided with soap (liquid or powder) and individual towels.

(D) Restrooms. All cosmetology establishments shall provide adequate and conveniently located restrooms, for use by patrons and operators. All schools shall provide two (2) or more restrooms to separately accommodate male and female students. All restrooms shall be provided with, at least, an operating toilet, a functional sink with hot and cold running water, soap (liquid or powder), and individual towels. Floors, walls, ceilings, and fixtures shall be made of washable materials and kept clean and in good repair at all times.

(E) Cosmetology Establishments in Residences. Establishments located in buildings which are also used as residences must be separate and apart from living quarters by solid floor to ceiling partitions. The establishment must contain that equipment used in the practice of all classified occupations of cosmetology, and this equipment must be kept in the separated establishment area. Beds of any description are not permitted, nor shall any room(s) equipped for cosmetology establishments have any residential purposes.

1. Every establishment located in a building also used as a residence must have a separate entrance which shall not open off the living quarters. Doorways from within the establishment area shall be kept closed at all times.

2. All establishments which exist in

buildings that also have living quarters must have restroom facilities located separate and apart from the living quarters. Restroom facilities shall be adequate and conveniently located for use by patrons and operators. All lavatories shall be provided with hot and cold running water, soap (liquid or powder), and paper towels and shall be kept clean and in good repair.

3. Establishments located in buildings which are also used as residences shall comply with all requirements contained in 20 CSR 2085-11.020, in addition to complying with the specific requirements of this subsection.

(F) Washing Machines and Dryers. Any washing machine or clothes dryer shall be located in a separate room apart from the working area.

(2) Sanitation Requirements.

(A) Protection of the Patron.

1. Headrests shall be covered with a clean towel or paper protector for each usage.

2. Clean towels shall be used for each patron. A closed cabinet or drawer shall be provided for clean towels and linens.

3. Soiled towels shall be placed in a closeable, leakproof container immediately upon completion of use.

4. A new laundered towel or neck strip shall be placed around each patron's neck to prevent cape or hair cloth from touching skin.

5. Implements and instruments shall be sanitized after use on each patron.

(B) Animals. No animals shall be permitted in any cosmetology establishment or school or retail cosmetic sales counters at any time except service animals whose whole purpose is to provide assistance while obtaining services.

(C) Storage and Use of Powders, Creams, Emollients, Etc. For areas where all classified occupations of cosmetology are practiced, including retail cosmetic sales counters, open powder boxes and common powder puffs are forbidden. Powder must be used from shakers or other similar dispensing devices. Creams, emollients, and the like shall be removed from containers with clean, sanitized spatulas or may be dispensed on a sterile cotton swab. All containers shall be covered when not in use.

(D) Disinfecting and Storing Implements. All implements (instruments or tools) used in cosmetology establishments and schools, including scissors, clips, blades, rods, brushes, combs, etc. shall be thoroughly cleansed after each use. All implements which may come in contact directly or indirectly with the skin of the patron shall be disinfected with an Environmental Protection Agency (EPA)-reg-

istered disinfectant, which may be a spray solution. The label on the disinfectant shall show that it is EPA-registered with demonstrated bactericidal (disinfectant), virucidal, and fungicidal activity and shall be used according to the manufacturer's instructions. All implements shall be completely immersed in the solution or, if not capable of immersion, thoroughly dipped in the solution for a period of not less than five (5) minutes. Implements shall either be stored in the solution or removed and stored in a dust-tight cabinet, covered container, or drawer at all times when not in use. The dust-tight cabinet, covered container, or drawer shall be kept free of other items not capable of being disinfected. Implements shall be permitted to air dry.

(E) Disease Control. Except as otherwise provided by the Americans With Disabilities Act, a licensee, apprentice, student, or retail cosmetic salesperson providing cosmetology services with a communicable disease shall take all proper precautions to prevent the spread of the disease to any person while practicing barbering, cosmetology, or acting as a salesperson. A licensee, apprentice, or student attending a patron known by the licensee, apprentice, or cosmetologist to have a communicable disease shall also take all proper precautions to prevent the spread of the disease to any person, except as otherwise provided by the Americans With Disabilities Act. Disposable gloves shall be worn by any licensee, apprentice, or student with open wounds, dermatitis, or other non-intact skin of the hands.

(F) Blood Spill Procedures. If a cut is sustained or a blood spill should occur, the following steps must be followed by the licensee, apprentice, or salesperson:

1. Licensee, apprentice, student, or salesperson cut/blood spill procedure:

A. Licensee, apprentice, student, or salesperson must stop service immediately;

B. Clean cut area with soap (liquid or powder) and water and apply antiseptic. If necessary, liquid, spray, or powder styptic may be applied to stop bleeding. Note: Do not allow containers, brushes, or nozzles to touch or contact the wound—use an applicator as appropriate;

C. Cover injury with adhesive bandage;

D. If work area and/or equipment are soiled with blood, the licensee, student, apprentice, or salesperson shall place disposable gloves or a finger guard on their hands and clean/disinfect the area and soiled objects;

E. Dispose of all contaminated objects and disposable gloves in a covered

waste receptacle and clean hands with an antimicrobial cleanser; and

F. Place a clean disposable glove on if cut is sustained on the hand.

2. Patron cut/blood spill procedure.

A. Licensee or student must stop service immediately;

B. Licensee or student must place disposable gloves on hands;

C. Cleanse cut area of patron, apply antiseptic and/or liquid styptic or spray styptic, as necessary. Note: Do not allow container or nozzles to touch or contact the wound; use an applicator as appropriate;

D. Cover cut area with adhesive bandage as indicated;

E. If work area and/or equipment are soiled with blood, licensee or student cosmetologist shall disinfect work area and/or blood spill area and dispose of or disinfect all contaminated objects; and

F. Remove and dispose of all contaminated objects and disposable gloves and clean hands with an antimicrobial cleanser.

(G) Personal Cleanliness. Every operator, instructor, or instructor trainee shall wear only washable clothing while working in a cosmetology establishment or school. All students and apprentices in any school or cosmetology establishment shall wear washable clothing while in attendance.

(H) Training Kit. No student or apprentice shall be permitted to take his/her training kit from the school or cosmetology establishment while in training.

(I) Covered Waste Receptacles. Any cosmetology establishment or school shall be required to have covered waste receptacles for the disposal of hair and nail clippings. Hair and nail clippings shall be swept up and disposed of in a covered waste receptacle after each patron.

(J) No cosmetology licensee shall provide any cosmetology services that involve the use of any liquid product containing methyl methacrylate (MMA). Licensees are responsible for ensuring that their nail service products do not contain MMA as a monomer agent for cosmetic nail applications or any other purpose. Products containing ethyl or butyl methacrylate are acceptable and may be used to provide nail services.

(K) Upon request from a board inspector or board representative, any licensee in any licensed barber or cosmetology establishment must be able to provide the Material Safety Data Sheet (MSDS) for all service products in the establishment to verify that the chemicals in those products are appropriate and safe for public use.

(L) Prohibited Practices. To prevent the risk of injury or infection—



1. A licensee shall not use or offer to use in the performance of cosmetology services, or possess on the premises of a licensed cosmetology establishment, any razor-type callus shaver designed or intended to cut growths of skin on hands or feet such as corns and calluses including, but not limited to, a credo blade or similar type instrument. Any licensee using a razor-type callus shaver prohibited by this rule at a licensed cosmetology establishment or in the performance of any cosmetology, manicuring, or esthetician services shall be deemed to be rendering services in an unsafe and unsanitary manner. Cosmetology establishment licensees shall ensure that razor-type callus shavers are not located or used on the premises of the cosmetology establishment;

2. The board shall provide a flyer prohibiting the use of these razor-type callus shavers. Every cosmetology establishment and cosmetology school shall post such flyer in plain view of the public in each of their establishment(s) and school(s); and

3. Violation of this rule shall constitute grounds for discipline under section 329.140.2(15), RSMo.

AUTHORITY: section 329.025.1, RSMo Supp. 2012. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Amended: Filed April 3, 2009, effective Sept. 30, 2009. Amended: Filed March 8, 2013, effective Aug. 30, 2013.*

**Original authority: 329.025, RSMo 2005, amended 2008.*

6. All applicators and appliances shall be thoroughly cleansed after each use. All nondisposable applicators or implements which may come in contact directly or indirectly with the skin of the patron shall be sanitized as set forth in 20 CSR 2085-11.020(2)(D).

7. Retail cosmetic sales counters will be required to have covered waste receptacles for the disposal of waste or soiled products.

(2) Every retail cosmetic sales counter shall be available for inspection by members or representatives of the board during normal working hours or at reasonable times as requested by the board.

AUTHORITY: sections 329.025.1 and 329.035.3, RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: 329.025, RSMo 2005 and 329.035, RSMo 1995, amended 2005.*

20 CSR 2085-11.030 Sanitation for Retail Cosmetic Sales Counters

PURPOSE: This rule establishes sanitary requirements for retail cosmetic sales counters.

(1) Sanitation Requirements for Retail Cosmetic Sales.

(A) Protection of the Customer.

1. Headrest shall be covered with a clean towel or paper protector for each usage.

2. Clean towels shall be used for each patron. A closed cabinet or drawer shall be provided for clean towels and linens.

3. Soiled towels shall be placed in a closeable, leakproof container immediately upon completion of use and disposable cloths must be discarded immediately after use.

4. A new towel or neck strip shall be placed around each customer's neck to prevent cape or cloth from touching skin.

5. Retail cosmetic salespersons shall sanitize their hands before and after assisting each customer.

Rules of Department of Commerce and Insurance

Division 2085—Board of Cosmetology and Barber Examiners

Chapter 12—Schools and Student Rules—Barber and Cosmetology

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2085—Board of Cosmetology
and Barber Examiners
Chapter 12—Schools and Student Rules—
Barber and Cosmetology**

**20 CSR 2085-12.010 General Rules and
Application Requirements for All Schools**

PURPOSE: This rule establishes requirements applicable to all barber and cosmetology schools and school applicants.

(1) To operate a barber or cosmetology school in Missouri, including a postsecondary or secondary barber or cosmetology school, an applicant shall submit an application and applicable fee to the board at least sixty (60) days prior to the anticipated opening date of that facility. Applications to open a school shall be made on the forms provided by the board and may be obtained by writing the board at PO Box 1062, Jefferson City, MO 65102. The telephone number is (573) 751-0805 or (866) 762-9432, and the TDD number is (800) 735-2966.

(A) As used in these regulations (and in application forms issued by the board), the term “postsecondary” shall mean an institution or school that has certified in its application to the board that it will only enroll individuals who meet one (1) of the following qualifications: 1) hold a high school diploma; 2) hold a general education development (GED) certification; 3) have completed a home schooling program which meets the requirements of the state in which it occurred and contains at least twelve (12) high school credits; or 4) have provided acceptable proof of a prior enrollment, commencing at any date prior to July 1, 2012, in a Title IV eligible academic program at a Title IV eligible postsecondary institution. With respect to an institution, “Title IV eligible” shall have the meaning given in 34 CFR 600.2 as that regulation existed at the time of such prior enrollment, and, with respect to an academic program, “Title IV eligible” shall have the meaning given in 34 CFR 668.8 as that regulation existed at the time of such prior enrollment the status of being postsecondary is optional, and an applicant may apply to operate a barber or cosmetology school in Missouri without such status.

(B) As used in these regulations (and in application forms issued by the board), the term “secondary” shall mean an institution or school that has certified on its application to the board that it is a public vocational-technical school.

(2) General Application Requirements. The board shall not consider any application to open a school unless it is fully completed, including supporting documents which must be attached to the application, with the applicable fee. The application shall be on a form approved by the board and shall contain the following information:

(A) Name and address of the owner(s) or lessor(s) and lessee(s) where appropriate;

(B) The school’s complete mailing address;

(C) A copy of the proposed facility’s floor plan, giving approximate dimensions and square footage;

(D) A list of the proposed equipment and training supplies by quantity and type for which barber school applicants shall include the minimum equipment and supplies required by 20 CSR 2085-12.020(2)(C) or, for cosmetology school applicants, shall include the minimum equipment and supplies required by 20 CSR 2085-12.040(2);

(E) A list detailing all implements and equipment that will be included in student kits;

(F) A list of the proposed school rules;

(G) The requisite fee;

(H) A brief description of the course curriculum, including the number of clock hours, credit hours, or similar units of measure, whichever is applicable, to be assigned to each subject area;

(I) A sample lesson plan for each course in the curriculum, which must include those courses required by Chapters 328 and/or 329, RSMo, and the rules of the board, for the school license requested;

(J) The maximum enrollment allowed for the facility based on square footage;

(K) A copy of the student contract which shall comply with the following:

1. Student contracts submitted and used by barber school applicants must include a notice to the student that no less than one thousand (1,000) hours of training in a licensed school is required for that student to sit for the state barber examination;

2. Student contracts submitted and used by cosmetology school applicants must include a notice to the student that no less than one thousand five hundred (1,500) hours of training in a licensed school or no less than one thousand two hundred twenty (1,220) hours of training in a licensed public vocational-technical school are required for cosmetology, and no less than four hundred (400) hours of training in any licensed school are required for manicuring and no less than seven hundred fifty (750) hours training in any licensed school are required for estheticians for that student to be eligible to sit for the board examination; and

3. A copy of the school’s student enroll-

ment form or application, which, for a postsecondary school, shall require the student applicant to indicate whether he/she holds a high school diploma; holds a general education development (GED) certification; has completed a home schooling program meeting the requirements of the state in which it occurred and has provided to the board a written notarized statement from his/her principal instructor demonstrating completion of at least twelve (12) high school credits; or has provided to the cosmetology school proof of a prior enrollment, commencing at any date prior to July 1, 2012, at a Title IV eligible postsecondary institution in a Title IV eligible academic program;

(L) The name and address of each licensed instructor to be employed:

1. Any barber school having only one (1) instructor per fifteen (15) students shall state in their application the name and address of a substitute instructor who will be available; and

2. Any cosmetology school having only one (1) instructor per twenty-five (25) students shall state in their application the name and address of a substitute instructor who will be available; and

(M) Two (2) or more letters of reference for the applicants.

(3) Application Approval. Upon receipt of a properly completed application, the board, within a reasonable time, will arrange an appointment at the next regularly scheduled meeting of the board to discuss the proposed school provided, however, the application is received by the board no less than fourteen (14) days before the next meeting. If the application is received less than fourteen (14) days before the next meeting, then an appointment will be scheduled at the following meeting to discuss the proposed school. If the applicant has applied for the optional status of postsecondary institution, and has met the requirements of section (2) of 20 CSR 2085-12.010, and if the board decides to grant an initial or renewal license, the license shall designate the school as being authorized to operate as a postsecondary school of cosmetology and/or barbering. If the applicant has applied for the optional status of secondary institution, and has met the requirements of section (2) of 20 CSR 2085-12.010, and if the board decides to grant an initial or renewal license, the license shall designate the school as being authorized to operate as a secondary school of cosmetology and/or barbering.

(A) After the meeting between the applicant and the board, the board will decide to preliminarily approve or deny a license for the proposed facility no later than ninety (90) days after the board’s receipt of the properly completed application, unless additional



information is needed or additional time is required for the board to review the application submitted.

(B) If the board decides not to preliminarily approve the application, the applicant will be promptly notified in writing of the specific reasons for denial. Final approval of a school by the board will be made upon final inspection and approval of the proposed facility. The purpose of the final inspection is to approve or disapprove the condition of the school, to ensure the facility has all required equipment and is in compliance with the floor plan preliminarily approved by the board.

1. A school license will only be issued to applicants who are in compliance with the rules of the board and provisions of law applicable to the school sought to be licensed.

2. After final approval is given by the board, a license will be sent to the applicant. No barber or cosmetology school shall be opened in Missouri prior to receipt of its license from the board.

(4) Barber School Floor Plans. The floor plan submitted with an application for licensure as a barber school shall include the following:

(A) A reception area;

(B) A classroom for theory instruction with a reference library;

(C) A work station for each student for practical instruction which shall include a backbar, dust-tight cabinet or drawers, mirror not less than thirty inches (30") in diameter, and barber chair with headrest. Barber chairs shall be mechanically sound with a non-porous covering in good condition. Chairs shall be placed at least five feet (5') apart, and each chair shall occupy not less than thirty-five (35) square feet of floor space. There shall be electrical outlets between every two (2) chairs;

(D) Two (2) or more restrooms that separately accommodate male and female students including sink with hot and cold running water, soap (liquid or powder), and paper towels;

(E) A dispensary for the preparation, mixing, storage, and disposal of supplies and chemicals used for disinfecting barbering implements;

(F) Manager(s) office;

(G) A student break room;

(H) A janitor's closet for cleaning supplies; and

(I) A shampoo bowl equipped with hot and cold running water plus chair for each student scheduled for practical instruction up to six (6) shampoo bowls.

(5) License Changes. Each license for a school issued by the board shall be valid only

for the premises named and located at the address provided in the initial school license application. If at any time during the license period, the physical plant or operation of a school is moved to a new address, if ownership is transferred, or if substantial interest fifty-one percent (51%) or more of a partnership or corporation is altered in a way as to affect the registered ownership, then the license for the school shall become void. It shall be the responsibility of the holder of the license of the school to notify the board of any changes.

(A) Change of Location. If the physical plant or operation of a school is to be moved to a new address, it shall be the responsibility of the school owner(s) to submit an application to open a school at a different location and the applicable fee to the board and meet all the requirements to obtain a license to operate the school prior to reopening at the new location.

1. The school owner shall submit a change of location application which shall include:

A. The name and address of the owner(s) or lessor(s) and lessee(s) where appropriate;

B. The school's complete mailing address;

C. A copy of the proposed facility's floor plan, giving approximate dimensions and square footage;

D. A list of the proposed equipment and training supplies by quantity and type which for barber school applicants shall include the minimum equipment and supplies required by 20 CSR 2085-12.020(2)(C) or, for cosmetology school applicants, shall include the minimum equipment and supplies required by 20 CSR 2085-12.040(2);

E. A list detailing all implements and equipment that will be included in student kits;

F. A list of the proposed school rules;

G. The requisite fee;

H. The maximum enrollment allowed for the facility based on square footage;

I. A copy of the student contract which shall comply with the applicable requirements of 20 CSR 2085-12.010(2)(K); and

J. The name and address of each licensed instructor to be employed, including the name and address of any substitute instructor as required by 20 CSR 2085-12.010(2)(L).

2. Final approval of a school by the board, based on a change of location, will be made upon final inspection of the establishment.

(B) Change of Ownership. It shall be the responsibility of the new owner(s) to submit an application to open a school and the appli-

cable fee to the board and to meet all requirements to obtain a license to operate a school.

1. If there is to be a change in a substantial interest of a partnership or corporation which affects the registered ownership, the owner(s) shall make application in accordance with the rules of the board.

2. If there is to be a change in a minority interest of a partnership or corporation which does not affect the registered ownership, it shall be the responsibility of the holder(s) of the school license to submit a sworn affidavit to the board as notification of the change and to supply a full listing of partners/shareholders and ownership percentages of each.

3. Adding a co-owner. It shall be the responsibility of the co-owners to submit an application to open a school and the applicable fee to the board to obtain a license to operate a school.

4. Deleting a co-owner. It shall be the responsibility of the co-owners to immediately notify the board of any ownership change. The written notice shall serve as documentation of the change and a new application and fee shall not be required.

(C) Name Change of School. Notwithstanding any other rule promulgated by the board, the owners of the school shall notify the board immediately in writing of a change in a school name. The name change may be made on the renewal application for the school. Alternatively, the name change may be made during the license period if the owner(s) submit a change of name request on a form supplied by the board along with the school's license and the duplicate license fee. No school shall use any name prior to complying with the rules of the board for changing a school name and submitting all applicable fees.

(D) Termination of Operations. Any school voluntarily terminating its operation shall inform the board in writing prior to the anticipated closing date and in addition, properly terminate its students as set forth in section (9) of this rule, return all unused materials supplied by the board and supply the board with an address and telephone number where an authorized representative of the school can be contacted for additional information after the closing of the school.

(6) Inspections.

(A) A member, representative, or inspector of the board shall inspect the school prior to annual renewal and the school shall be in compliance with all applicable Missouri laws and rules of this board.

(B) Each school licensed in Missouri must be open to the members, representatives, or inspectors of the board for inspection at all times during normal working hours or at reasonable times as requested by the board.



Every school licensed by the board shall have a complete student kit and a set of all textbooks available for inspectors to view at the time of inspection.

(7) Renewals.

(A) Each holder of a valid, current license to operate a school in Missouri shall, on or before the renewal date, submit an application for renewal of the school license and shall accompany it with the biennial renewal fee and shall provide the following information:

1. Name and address of the owner(s) or lessor(s) and lessee(s) where appropriate;

2. The school's complete mailing address;

3. A list detailing all implements and equipment that will be included in student kits;

4. The requisite fee;

5. The maximum enrollment allowed for the facility based on square footage; and

6. The name and address of each licensed instructor to be employed; provided, any school having less than the minimum number of instructors as required by the rules of the board for the school to be licensed shall also state the name and address of a substitute instructor who will be available.

(B) The holder(s) of a school license which has not been renewed by the date shall be required to submit a late fee in addition to the biennial renewal fee in order to reinstate the license. The holder(s) of a school license failing to reinstate the license within fourteen (14) days following the board's mailing by certified mail of notice to the holder(s) shall be subject to disciplinary action, shall terminate all students enrolled in the school as set forth in subsection (9)(C) of this rule and may reapply for a school license in accordance with the provisions of section (2) of this rule.

(8) Satellite Classrooms.

(A) Purpose. Satellite classrooms may only be used for teaching purposes. Students are prohibited from providing services to or demonstrations on the public in a satellite classroom.

(B) Eligibility. Any licensed school may apply for the addition of a satellite classroom.

(C) Location. Satellite classrooms must be located within a one (1) mile radius of the existing school.

(D) Equipment and Floor Space.

1. Satellite classrooms shall be equipped with at least one (1) restroom for student use.

2. Satellite classrooms shall be equipped with a sufficient number of tables and chairs to accommodate the number of students in attendance in each class.

3. Schools shall post a sign on the out-

side of each entrance into a satellite classroom, which reads, "Satellite Classroom for Students and Licensed Instructors Only."

4. Satellite classrooms shall have a minimum of five hundred (500) square feet for classroom instruction for up to twenty (20) students. For each additional student, satellite classrooms must have at least an additional fifty (50) square feet. Schools may not include the square footage of the satellite classroom to meet the minimum square footage requirements for the school licensed.

(E) In addition to the instructor requirements for the school licensed, there must be at least one (1) licensed instructor present in the satellite classroom anytime students are present.

(F) Inspection. Satellite classrooms are subject to inspection in the same manner as the existing school. Schools are required to post the satellite classroom license in plain view within the satellite classroom at all times.

(G) Application for Licensure. If a satellite classroom is to be added, it shall be the responsibility of the holder(s) of the school license prior to opening the satellite classroom to submit an application for the addition of a satellite classroom on a form supplied by the board accompanied by a floor plan of the satellite classroom giving dimensions and square footage, and the satellite classroom application fee; have the satellite classroom inspected and approved by the board; and have received the satellite classroom license from the board.

(9) Enrollment and Termination of Students.

(A) Students must be seventeen (17) years of age by the time application is made for the state examination.

(B) It shall be the responsibility of the holder of the license to operate a school to submit student enrollment forms to the board at least two (2) weeks prior to the anticipated commencement of a student's studies. The application shall be on a form approved by the board, be properly completed and accompanied by the appropriate fee(s). No student shall receive any credit for training received at a school until the application is received and approved by the board and the student license is returned to the school. The student license shall be conspicuously displayed with a two inch square (2" × 2") photograph taken within the last five (5) years and is not transferable.

(C) Terminations. All persons holding a license to operate a school shall be responsible for submitting properly completed termination forms for all students who terminate their training. School license holders are

responsible for obtaining termination forms from the board.

1. Termination forms must be submitted within two (2) weeks of the date of student's termination. The date of a student's termination is either: 1) The date the student affirmatively indicates to the school his/her intent to terminate training; or 2) The last day of any two (2)-week period during which the student failed to attend a single class. However, a school shall not terminate a student for up to six (6) weeks if the student notifies the school in writing of his/her leave of absence and the student's anticipated date of return. If the student does not return on the anticipated date of return, the school shall automatically terminate the student on that date.

(D) Transfer of Students. Any student desiring to change schools shall contact the school in which he/she is currently enrolled and request termination. The school shall terminate the student as required by 20 CSR 2085-12.010(9)(C) within two (2) weeks of the student's request to be terminated.

(E) No student shall be permitted to remove his/her training kit from the school while in training.

(F) Definition of Training Hours.

1. For purposes of cosmetology schools and students, "training hours" is defined as the number of clock or credit hours of instruction and training a student obtained and for which the school maintained a record of those hours for instruction and training.

2. For purposes of barber schools and students, "training hours" is defined as the number of clock hours of instruction and training a student obtained and for which the school maintained a record of those hours for instruction and training.

(10) Instructors. Every holder of a license to operate a school shall be responsible for providing continuous and adequate supervision of the school's students by licensed instructors at all times during regular school hours.

(A) It shall be the responsibility of the holder of a license to operate a school to ensure that each licensed instructor teaching in that school submits to the board a proposed lesson plan for each course that they teach. The lesson plan must be approved by the board prior to the course being taught.

(B) Any school which has only one (1) regular instructor employed and present during regular school hours shall submit proof to the board that a substitute Missouri licensed instructor will be available to that school to assume continuous and uninterrupted instruction. Satisfactory proof shall be demonstrated by submitting an affidavit to the board, a contract of agreement, or other evidence found to



be adequate and trustworthy, that verifies that a licensed Missouri substitute instructor will be available.

(C) To insure the adequate preparation of its students, every school shall allow its instructors to perform only *bona fide* demonstrations on members of the general public. A *bona fide* demonstration is one performed for the instruction of students where one (1) or more students actually observe or participate in the work being performed by the instructor for no monetary compensation for the specific service(s) demonstrated.

(D) Instructor licenses shall be conspicuously displayed with a two inch square (2" × 2") photograph taken within the last five (5) years.

(E) Instructor trainees shall not be counted as licensed instructors for purposes of meeting the minimum instructor requirements of the board for the applicable school and under no circumstances shall an instructor trainee be left solely in charge of any school.

(11) External Training and Coursework.

(A) No portion of a student's minimum training requirements may be obtained in course work or demonstrations outside the school of his/her enrollment unless a specific request for such a program of instruction is submitted to the board office by the school on a form supplied by the board and approval is given prior to the requested program. The request for a program of instruction shall include: the place, date and time of the activity, the objective of the activity, the person/organization conducting the activity, the number of students to attend the activity, and the names of the instructor(s) to supervise the activity.

(B) The executive director of the board may approve up to three (3) valid field trip requests, after which time further requests will be considered by the board at its regularly scheduled board meeting. Requests received less than fourteen (14) days prior to the next meeting shall be placed on the agenda for the following meeting.

(C) The required ratio of instructor supervision shall be maintained and student attendance at the activity verified. Credit shall not be given for time in transit to and from the activity.

(12) Minimum Standards for Accountability.

(A) School emphasis shall be placed on student training exclusively.

(B) Every school shall maintain an annual overall pass/fail rate of seventy percent (70%) for both written and practical portions of the licensure examination for each classification of the profession taught. If a school's pass/fail rate falls below seventy percent

(70%) in a calendar year, the school will have thirty (30) days from the date of notification to submit a plan of action to the board. The pass/fail rate in question will be for first time candidates only. The pass/fail rate must increase by five percent (5%) the first year, then must meet or exceed that standard for the next two (2) years, or the school license shall be subject to discipline.

(C) Student records shall be made available or shall be electronically stored so that the records may be immediately accessed and produced on the premises of the licensed school in the state of Missouri upon request by the board or its representative. For purposes of this rule, records shall be retained for a period of five (5) years and shall include, but are not limited to:

1. Timesheets;
2. Enrollment forms;
3. Student applications;
4. Termination forms;
5. Attendance records;
6. State law tests;
7. Proof of grades;
8. Proof of attendance;
9. Student payment records; and
10. Student contracts.

(D) The school shall include in its catalog and on its website information on how students may present complaints to the board, including the mailing address, telephone number, and website of the board.

(13) Advertising. Signs shall be displayed in all schools stating that all work is done by students. Schools advertising prices for services must state that all work is done by students and the lettering of the advertisement stating that work is performed by students must be as large as the lettering used to denote the advertised prices.

(14) All services rendered to the general public in a school shall be performed by students. An instructor shall not operate a chair or serve customers in a school. All work performed by the student on a customer shall be inspected and approved by an instructor before the customer exits the school. Students shall not exit from classroom instruction or practical or written examinations to perform barbering or cosmetology services on customers.

(15) Physical Premises. The building and quarters that the school occupies shall be clean, well painted, well ventilated, and adequately lighted with sufficient room.

(A) There shall be no smoking in instructional areas of the school.

(B) All implements and school equipment, including furniture and fixtures, shall be kept in good working order and repair.

(16) Failure of any school to comply with any

applicable rule of the board shall be considered grounds for suspension or revocation of a license to operate a school.

(17) As used in the rules of the board, the term "school" shall also include a college of cosmetology or barber instruction.

AUTHORITY: sections 328.090, 328.120, 329.025, and 329.040, RSMo Supp. 2013.* Original rule filed Aug. 10, 2007, effective Feb. 29, 2008. Amended: Filed April 8, 2009, effective Oct. 30, 2009. Amended: Filed Sept. 13, 2013, effective Feb. 28, 2014. Emergency amendment filed May 28, 2015, effective June 7, 2015, expired Feb. 25, 2016. Amended: Filed May 28, 2015, effective Nov. 30, 2015. **

*Original authority: 328.090, RSMo 1939, amended 1947, 1949, 1951, 1981, 2005; 328.120, RSMo 1939, amended 1947, 1951, 1959, 1981, 1993, 1995, 2005; 329.025, RSMo 2005, amended 2008; and 329.040, RSMo 1939, amended 1945, 1959, 1979, 1981, 1987, 1989, 1995, 1997, 2001.

**Pursuant to Executive Order 21-07, 20 CSR 2085-12.010, section (11) was suspended from March 23, 2020 through August 4, 2021.

20 CSR 2085-12.020 Specific Requirements for Barber Schools

PURPOSE: This rule establishes requirements applicable specifically to barber schools.

(1) Instructors.

(A) Every barber school shall employ, and have present during regular school hours, a minimum of one (1) Missouri licensed instructor for every fifteen (15) students in attendance for a given class period.

(B) In addition to the requirements set forth in this rule, the school shall employ and have present during regular school hours a minimum of one (1) licensed instructor for every twenty (20) students in attendance for a given class period in a satellite classroom. If, at anytime, twenty-one (21) or more students are in attendance in the satellite classroom, at least two (2) licensed instructors must be present in the satellite classroom.

(2) Physical Facilities.

(A) A school owner may change the school floor plan during the term of licensure, provided that, the physical facilities of the school shall at all times include all of the items/areas required in the floor plan for initial applicants for a barber school license under this rule and 20 CSR 2085-12.010(4). A copy of the revised floor plan shall be submitted to the board within fifteen (15) days after the revised changes are made.

(B) The workroom floors of a barber school shall be either tiled or covered with



linoleum or comparable floor covering and shall be clean and in good condition.

(C) A barber school shall have the following minimum equipment and supplies:

1. Instructional fixtures for instructor(s) and students, such as a chalkboard, anatomic chart, desks or tables, and chairs;

2. A reference library for students containing at least a dictionary, current textbook, current Missouri law and rules governing barbering;

3. A work station for each student scheduled for practical instruction;

4. A metal fire-resistant and locking filing cabinet for school and student records;

5. First aid dispensary;

6. Sanitary drinking facilities;

7. Chairs in reception area to accommodate patrons;

8. At least three (3) mannequins;

9. One (1) large closeable sanitary cabinet or container for clean towels;

10. One (1) large covered receptacle for soiled towels;

11. One (1) large covered receptacle for debris and hair;

12. Restroom facilities shall have hot and cold running water, soap (liquid or powder), and paper towels;

13. Each work station shall have at least one (1) liquid sanitizer;

14. A sufficient supply of tonics, lotions, shampoos, and chemical preparations used in processing hair and hair waving;

15. Ample supply of disposable gloves;

16. Ample supply of clean towels; and

17. At least one (1) electric latherizer for every ten (10) students.

(3) Training Kits. A barber school shall provide each student with a non-returnable training kit which shall include at least the following:

(A) Textbook approved by the board;

(B) Four (4) combs and three (3) brushes;

(C) One (1) hair dryer;

(D) One (1) straight razor with interchangeable blades;

(E) One (1) pair of haircutting shears;

(F) One (1) pair of thinning shears;

(G) One (1) clipper with interchangeable blades sizes 1 and .000 or an adjustable clipper;

(H) Two (2) washable smocks;

(I) One (1) dozen wave rods;

(J) One (1) hair pick; and

(K) One (1) wig brush.

(4) Record Retention. A barber school shall use a time clock to maintain an actual record of the exact number of hours worked each day by each student. A school shall maintain current transcripts and records of each student

enrolled, including the hours and dates of attendance and grades of all examinations.

(5) All barber schools shall be in compliance with 20 CSR 2085-11.010 and shall post the sanitation rules in a conspicuous place within the school.

AUTHORITY: sections 328.020, 328.090, 328.120, and 329.025, RSMo Supp. 2013.* *Original rule filed Aug. 10, 2007, effective Feb. 29, 2008. Amended: Filed Sept. 13, 2013, effective Feb. 28, 2014.*

*Original authority: 328.020, RSMo 1939, amended 2005; 328.090, RSMo 1939, amended 1947, 1949, 1951, 1981, 2005; and 329.025, RSMo 2005.

20 CSR 2085-12.030 Curriculum Prescribed for Barber Schools/Colleges

PURPOSE: This rule establishes general requirements for barber school curriculum and teaching (instructor) requirements.

(1) Missouri barber schools shall provide a minimum of one thousand (1,000) hours of training over a period of not less than six (6) months. Apprenticeship training in Missouri shall provide a minimum of two thousand (2,000) hours of training for a period not to exceed five (5) years. The subjects and the minimum hours in each are listed in Columns A and B in this section.

	Column A Minimum Hours Student	Column B Minimum Hours Apprentice
(A) History	5	10
(B) Professional Image	5	10
(C) Bacteriology	5	10
(D) Sterilization, Sanitation, and Safe Work Practices	20	40
(E) Implements, Tools, and Equipment	15	30
(F) Properties and Disorders of the Skin, Scalp, and Hair	15	30
(G) Treatment of Hair and Scalp	20	40
(H) Facial Massage and Treatments	5	10
(I) Shaving	35	70
(J) Haircutting	425	850
(K) Hairstyling	325	650
(L) Mustache and Beard Design	5	10
(M) Permanent Waving	30	60
(N) Chemical Hair Relaxing and Soft Curl		
Permanents	30	60
(O) Hair Coloring	30	60
(P) Hairpieces	5	10
(Q) Chemistry	5	10

(R) Anatomy and Physiology	5	10
(S) Salesmanship and Establishment Management	5	10
(T) State Law	10	20

(2) All barber students shall receive not less than one (1) hour of combined lectures and demonstrations each business day, excluding Saturday.

AUTHORITY: sections 328.090, 328.120 and 329.025(1), RSMo Supp. 2006.* *Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

*Original authority: 328.090, RSMo 1939, amended 1947, 1949, 1951, 1981, 2005; 328.120, RSMo 1939, amended 1947, 1951, 1959, 1981, 1993, 1995, 2005; and 329.025, RSMo 2005.

20 CSR 2085-12.035 Requirements for Barber Students

PURPOSE: This rule establishes qualifications and requirements for barber students.

(1) It shall be the responsibility of the school to submit to the board at least two (2) weeks prior to the anticipated date of student barber training the following:

(A) A completed student application for admission to barber training;

(B) Pursuant to section 328.080, RSMo, a medical examination form;

(C) Proof of age—copy of a birth certificate or driver's license (applicant must be seventeen (17) years of age by the time application is made for examination);

(D) Two (2) small two inch square (2" × 2") passport photographs of the student; and

(E) Applicable fee.

(2) For any person enrolling in a postsecondary barber school, the completed student application must indicate that the individual: has earned a high school diploma; has earned a general education development (GED) certification; has completed a home schooling program meeting the requirements of the state in which it occurred and has provided to the board office a written notarized statement from his/her principal instructor demonstrating completion of at least twelve (12) high school credits; or has provided to the barber school proof of a prior enrollment, commencing at any date prior to July 1, 2012, at a Title IV eligible postsecondary institution in a Title IV eligible academic program.

(3) Any person desiring to enroll in a secondary barber school shall meet all of the requirements set forth in subsections (1)(A)–(E) of 20 CSR 2085-12.035.



(4) Upon board approval of a student application for admission to barber training, the board shall issue to the school a student registration which shall be conspicuously posted at each student's work station.

(5) Upon a successfully completed course of barber training, provided the board is in receipt of a completed student transcript and student registration, the student may apply for the barber examination by submitting to the board at least fourteen (14) days prior to examination date, a completed application and applicable fee.

(6) Upon graduation from barber training, the student registration to work under the supervision of a licensed barber operating in a current licensed barber establishment may be extended by the board to ten (10) days following the date of the first available examination for licensure. Extended student registration shall be posted in front of the working chair. Extended student registration shall be received by the board upon its expiration.

(7) No training received in a school may be credited towards the fulfillment of the hours necessary in an apprenticeship program and no training received in a barber establishment may be credited towards the hours necessary in a school to meet the minimum requirements necessary to qualify for a state examination.

AUTHORITY: sections 328.120 and 329.025.1, RSMo Supp. 2013. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Emergency amendment filed May 28, 2015, effective June 7, 2015, expired Feb. 25, 2016. Amended: Filed May 28, 2015, effective Nov. 30, 2015.*

**Original authority: 328.120, RSMo 1939, amended 1947, 1951, 1959, 1981, 1993, 1995, 2005; and 329.025, RSMo 2005, amended 2008.*

20 CSR 2085-12.040 Specific Requirements for Cosmetology Schools

PURPOSE: This rule establishes the licensing procedure and requirements for schools of cosmetology.

(1) The holder(s) of the cosmetology school license shall employ and have present during regular school hours a competent licensed instructor for every twenty-five (25) students in attendance for a given class period.

(2) Minimum Equipment and Training Supplies. All schools of cosmetology teaching the occupations of Class-CA or Class-CH

cosmetology, as defined in section 329.010(5), RSMo, in Missouri shall have on hand and maintain in good working condition at all times the following equipment and training supplies:

- (A) One (1) large dispensary;
- (B) Twenty (20) lockers;
- (C) Two (2) or more restrooms to separately accommodate male and female students;
- (D) A metal fire-resistant and locking filing cabinet for school and student records;
- (E) Sixteen (16) dresserettes, mirrors, and chairs;
- (F) Ten (10) hair dryers and chairs;
- (G) Two (2) facial chairs;
- (H) Tables and chairs sufficient for the number of students in attendance;
- (I) Sterilizers.

1. Five (5) large wet sterilizers or individual wet containers in each station of the clinic that are large enough to cover combs and brushes (each shall contain a wet sterilizing agent).

2. Three (3) dry sterilizers or individual dry containers in each station of the clinic that are large enough to hold combs and brushes clear and free of unsterilized items and tools;

(J) Six (6) shampoo bowls equipped with hot and cold running water plus chairs;

(K) Cold wave equipment sufficient for twenty (20) permanents on all sized rods;

(L) Four (4) manicure tables, stools, and manicure equipment sets;

(M) First-aid supplies;

(N) Visual aids on the circulatory system, bones, muscles, nerves, anatomy, pH scale, and history of hair and nails;

(O) One (1) Complete Visual Aid Teaching System. This visual aid teaching system may include, but is not limited to, the following items: video recorder, overhead projector, film projector, educational films, and screen;

(P) One (1) large blackboard;

(Q) Sanitary drinking facilities;

(R) One (1) time clock for student hours or a reliable record keeping system for tracking and recording student hours;

(S) Twenty (20) mannequins plus working tables for same;

(T) A reference library for students containing the following suggested materials:

1. Textbooks on the theory in cosmetology for each student, textbooks on cosmetology establishment management and buying, textbooks on psychology of salesmanship, a collegiate dictionary, a beauty culture dictionary, and trade magazines. All textbooks must be current.

2. Textbooks, if necessary for coursework, for each student. Student shall receive textbooks necessary for coursework within forty-eight (48) hours of the start date of the course for which the textbook is needed.

Textbooks provided must be current and new; photocopies are not acceptable;

(U) A janitor's closet for all cleaning supplies;

(V) One (1) large closeable sanitary container for clean towels;

(W) One (1) large closeable container for soiled towels;

(X) One (1) closeable container for hair clippings; and

(Y) Individual student kit materials for each student enrolled shall include at a minimum the following:

1. Thermal equipment;

2. Haircutting equipment;

3. Chemical application implements;

4. Hair styling implements; and

5. For Class-CA hairdressing and manicuring students manicuring implements shall be included.

A. All implements and equipment contained in the student kits must be new.

B. Students shall receive student kits prior to the completion of their training.

C. All kits shall be kept clean and remain free of unsterilized items and tools.

D. No student shall be permitted to remove his/her training kit from the school or cosmetology establishment while in training.

(3) All students in a cosmetology school shall wear washable clothing while in attendance.

(4) Training and Calculation of Hours. This rule clarifies hour requirements as authorized in section 329.040, RSMo.

(A) Minimum—Maximum Hours Accepted.

1. Each school or public institution shall define, for its own purposes, what constitutes a full-time, part-time, or evening student or instructor trainee but will be required to designate one (1) of these classifications for each individual enrolled in its program of study.

2. All students and instructor trainees shall be enrolled in a course of study of no less than three (3) hours per day and no more than twelve (12) hours per day with a weekly total that is no less than fifteen (15) hours and no more than seventy-two (72) hours.

3. No training hours may be counted towards satisfaction of more than one course of study or classification in a Missouri cosmetology school, however, nothing stated herein prohibits the transfer of training hours between Class CH-hairdressing and Class CA-hairdressing and manicuring course of study.

4. No training received in a school may be credited towards the fulfillment of the hours necessary in an apprenticeship program and no training received in a beauty cosmetology establishment may be credited towards the hours necessary in a school to meet the



minimum requirements necessary to qualify for a state examination.

(5) Change of Status. No student, instructor trainee, or apprentice shall be permitted to change his/her designated status of enrollment except by the submission of a properly completed change of status form to the board in accordance with 20 CSR 2085-12.060(1)(C).

(6) Any school which teaches all of the classified occupations of cosmetology in Missouri shall employ and have present in the school a minimum of one (1) licensed instructor for every twenty-five (25) students in attendance for a given class period provided that one (1) to ten (10) additional students may be in attendance with the assistance of an instructor trainee. Instructor trainees shall not be considered students for purposes of this requirement. Additionally, any school which teaches all of the classified occupations of cosmetology in Missouri shall employ and have present in the school a minimum of one (1) licensed instructor for every three (3) instructor trainees in attendance for a given class period.

AUTHORITY: sections 329.025.1 and 329.040, RSMo Supp. 2008.* Original rule filed Aug. 10, 2007, effective Feb. 29, 2008. Amended: Filed July 22, 2009, effective Jan. 30, 2010.

*Original authority: 329.025, RSMo 2005, amended 2008 and 329.040, RSMo 1939, amended 1945, 1959, 1979, 1981, 1987, 1989, 1995, 1997, 2001.

20 CSR 2085-12.050 Curriculum Prescribed for Cosmetology Schools

PURPOSE: This rule establishes the curriculum requirements prescribed for cosmetology schools, to be consistent with Chapter 329, RSMo.

(1) School Requirements.

(A) Minimum Training Requirements.

1. The subjects and the minimum hours in each subject for the cosmetology programs in private schools and for the esthetician and manicuring programs in all schools are set forth in section 329.040, RSMo.

2. All public vocational-technical schools of cosmetology in Missouri shall provide a minimum of one thousand two hundred twenty (1,220) hours of training for cosmetology over a period of not less than six (6) months in the appropriate subjects. The subjects and the minimum hours in each are listed

in Column A of paragraph (1)(A)3. of this section.

3. All programs of apprenticeship training in Missouri shall provide a minimum of three thousand (3,000) hours of training for cosmetology, a minimum of fifteen hundred (1,500) hours of training for esthetician, or a minimum of eight hundred (800) hours of training for manicuring. The subjects and the minimum hours in each are listed in Columns B, C, and D in this paragraph.

Subject	Column A	Column B	Column C
	Vo-Tech Student	Cosme- tologist Apprentice	Manicurist Apprentice
Shampooing of all kinds	40	80	
Hair coloring, bleaches and rinses	130	260	
Hair cutting and shaping	130	260	
Permanent waving and relaxing	150	250	
Hair setting, pin curls, fingerwaves, thermal curling	230	450	
Combouts and hair styling techniques	105	210	
Scalp treatments and scalp diseases	30	60	
Facials, eyebrows and arches	40	80	
Manicuring hand and arm massage, and treatment of nails	110	220	440
Cosmetic chemistry	25	50	
Salesmanship and establishment management	10	20	40
Sanitation and sterilization	30	60	40
Anatomy	20	40	20
State law	10	20	20
Study of the use and application of certain chemicals			80
Misc. lectures and test review	160	940	140
Total	1,220	3,000	800

Subject	Column D Esthetician Apprentice
Facials, cleansing, toner, massaging	240
Makeup application, all phases	200
Hair removal	60
Body treatments, aroma therapy, wraps	240
Reflexology	70

Cosmetic sciences, structure, condition, disorder	170
Cosmetic chemistry, products and ingredients	150
Cosmetology establishment management and salesmanship	110
Sanitation and sterilization, safety	90
State law	20
Misc. lectures and test review	150
Total	1,500

AUTHORITY: sections 329.025.1 and 329.040, RSMo Supp. 2006.* Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.

*Original authority: 329.025, RSMo 2005; and 329.040, RSMo 1939, amended 1945, 1959, 1979, 1981, 1987, 1989, 1995, 1997, 2001.

20 CSR 2085-12.060 Requirements for Cosmetology Students

PURPOSE: This rule establishes qualifications and requirements for cosmetology students.

(1) Registration.

(A) Any person desiring to enroll in a school of cosmetology shall contact the school of intended enrollment and obtain an enrollment form supplied by the board. At least two (2) weeks prior to the commencement of any program of instruction, that person shall return the completed enrollment form to the school of intended enrollment and, if the student is accepted, that school shall approve it and submit it to the board. The form shall be accompanied by the proper fee(s) and include the following information:

1. The applicant's name and address;
2. The name and address of the school or cosmetology establishment of enrollment;
3. Proof of age—copy of a birth certificate or driver's license (applicant must be seventeen (17) years of age by the time application is made for examination);
4. Proof of successful completion of the tenth grade (completion of at least ten (10) high school credits as defined by law)—diploma, general educational development (GED) certification, or official school transcript indicating student's name, grade level, and number of credits completed. Individuals who did not attend an official high school or GED program may submit a written notarized statement from his/her principal instructor demonstrating completion of at least ten (10) high school credits. The notarized statement must include the date(s) credits were earned, the subject areas in which credits were earned, and the year(s) of instruction. All foreign documents or documents not in the English language must be certified by a board-approved credential evaluating service;



5. Two (2) or more character references;
6. Two (2) United States passport photographs measuring two inches by two inches (2" × 2") which have been taken within the last five (5) years;

7. Signature of applicant; and

8. Signature of school owner/representative and school seal.

(B) Any person desiring to enroll in a post-secondary school of cosmetology shall meet all of the requirements set forth in subsection (1)(A) of this rule concerning completion of an enrollment form, except that, in lieu of the information set forth in paragraph (1)(A)4. of this rule, the enrollment form completed by the person shall indicate that the person: has earned a high school diploma; has earned a general education development (GED) certification; has completed a home schooling program meeting the requirements of the state in which it occurred and has provided to the board office a written notarized statement from his/her principal instructor demonstrating completion of at least twelve (12) high school credits; or has provided to the cosmetology school proof of a prior enrollment, commencing at any date prior to July 1, 2012, at a Title IV eligible postsecondary institution in a Title IV eligible academic program.

(C) Any person desiring to enroll in a secondary school of cosmetology shall meet all of the requirements set forth in subsection (1)(A) of this rule.

(D) No person shall be given credit for any training received by a school until a properly completed student enrollment form has been received and approved by the board and a student license is returned to the school or cosmetology establishment. The student license shall expire on the expiration date. A new application shall be submitted should the student or apprentice wish to continue training beyond the expiration date.

(E) Change of Status. For any student desiring to change the course in which he/she is currently enrolled or who wishes to obtain additional hours beyond the hours required by the board (even if license is still within the five (5)-year limit), he/she will be required to apply to the board for a change of status. Any other alteration (such as change of school and/or location) will require a termination. A student license will be good for a maximum of five (5) years from the date of issuance of the license at that location, unless terminated from the school. An application for change of status shall be made to the board on a form supplied by the board. The form shall be accompanied by the student license and the enrollment application fee and shall be postmarked no later than three (3) days from the effective date of the change of status. The

change of status application shall include an interim certificate which shall be valid for twenty (20) days from the date of application and shall be retained by the school to serve as the training license for the student until the amended license is received from the board.

(2) Transfer of Students.

(A) Any student desiring to change schools shall contact the school in which he/she is currently enrolled and request termination. The school shall terminate the student as required by 20 CSR 2085-12.010(9)(C) within two (2) weeks of the student's request to be terminated. After the proper termination papers and the student license have been received by the board, the student may make application for enrollment with another school in accordance with this rule and 20 CSR 2085-12.060(1).

(B) For the purposes of meeting the minimum requirements for examination, training completed by a student who has transferred between schools or has had a lapse of time between enrollments in the same school shall be recognized by the board for a period of no more than five (5) years from the date it was received.

(3) All students in any cosmetology school shall wear washable clothing while in attendance.

(4) No training received in a school may be credited towards the fulfillment of the hours necessary in an apprenticeship program and no training received in a beauty cosmetology establishment may be credited towards the hours necessary in a school to meet the minimum requirements necessary to qualify for a state examination.

AUTHORITY: sections 329.025.1, 329.040, and 329.050, RSMo Supp. 2013. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Amended: Filed April 3, 2009, effective Sept. 30, 2009. Emergency amendment filed May 28, 2015, effective June 7, 2015, expired Feb. 25, 2016. Amended: Filed May 28, 2015, effective Nov. 30, 2015.*

**Original authority: 329.025, RSMo 2005, amended 2008; 329.040, RSMo 1939, amended 1945, 1959, 1979, 1981, 1987, 1989, 1995, 1997, 2001; and 329.050, RSMo 1939, amended 1945, 1949, 1961, 1981, 1989, 1995, 1996, 2001, 2005.*

20 CSR 2085-12.070 Manicuring Schools

PURPOSE: This rule establishes the licensing procedure and requirements for schools of manicuring.

(1) Except as provided by this rule, schools of manicuring shall comply with 20 CSR 2085-12.010 sections (1)–(3) and sections (5)–(17) and 20 CSR 2085-12.040(1) and sections (3)–(6).

(2) Floor Space Required. Every school of manicuring in Missouri shall have a minimum of one thousand (1,000) square feet for classroom, clinic, and supportive areas. Schools which have an enrollment of ten (10) or fewer students shall have a minimum of six hundred twenty-five (625) square feet for clinical instruction and a minimum of two hundred fifty (250) square feet allocated for classroom instruction. Additional floor space required for additional students over ten (10) shall be no less than fifty (50) square feet for each additional student. Satellite classrooms must have a minimum of five hundred (500) square feet for classroom instruction for up to twenty (20) students. For each additional student, satellite classrooms must have at least an additional fifty (50) square feet.

(3) Minimum equipment and training supplies for manicuring schools shall be:

(A) One (1) large dispensary;

(B) One (1) locker per student;

(C) Two (2) or more restrooms to separately accommodate male and female students;

(D) A metal fire-resistant and locking filing cabinet for school and student records;

(E) One (1) sink with hot and cold running water per each ten (10) students;

(F) One (1) manicuring table with stool and equipment set per student;

(G) Sterilizers.

1. Three (3) large wet sterilizers or individual wet containers in each station of the clinic that are large enough to cover all needed implements (each shall contain a wet sterilizing agent).

2. Two (2) individual containers in each station of the clinic that are large enough to cover all needed implements; each shall be kept clear and free of unsterilized items and tools;

3. All kits shall be kept clean and remain free of unsterilized items and tools;

(H) First-aid supplies;

(I) Five (5) classroom tables and ten (10) chairs for practice and theory;

(J) One (1) time clock for student hours or a reliable record keeping system for tracking and recording student hours;

(K) Closeable sanitary containers for clean and soiled towels;

(L) Visual aids on the circulatory system, bones, muscles, nerves, anatomy, pH scale, and history of nails;

(M) One (1) complete visual aid teaching



system;

(N) Large blackboard;

(O) Sanitary drinking facilities;

(P) A reference library for students containing the following materials: textbooks on theory in manicuring for each student, textbooks on cosmetology establishment management and buying, textbooks on psychology of salesmanship, a collegiate dictionary, a beauty culture dictionary, and trade magazines. Textbooks, if necessary for coursework, for each student. Textbooks provided must be new, photocopies are not acceptable. All textbooks shall be current. Students shall receive primary textbooks within forty-eight (48) hours of enrollment;

(Q) A janitor's closet for cleaning supplies; and

(R) Individual student manicuring kits shall include at a minimum the following:

1. Basic manicure and pedicure implements; and
2. Artificial nail supplies and implements.

(4) Instruction. Students in a school of manicuring shall comply with all requirements of 20 CSR 2085-12.060.

AUTHORITY: sections 329.025.1, 329.040, and 329.050, RSMo Supp. 2008.* Original rule filed Aug. 10, 2007, effective Feb. 29, 2008. Amended: Filed July 22, 2009, effective Jan. 30, 2010.

*Original authority: 329.025, RSMo 2005, amended 2008; 329.040, RSMo 1939, amended 1945, 1959, 1979, 1981, 1987, 1989, 1995, 1997, 2001; and 329.050, RSMo 1939, amended 1945, 1949, 1961, 1981, 1989, 1995, 1996, 2001, 2005.

20 CSR 2085-12.080 Esthetic Schools

PURPOSE: This rule establishes application requirements for esthetic schools, floor space required for schools of esthetics and instruction for students, to be consistent with Chapter 329, RSMo.

(1) Except as provided by this rule, schools of esthetics shall comply with 20 CSR 2085-12.010 sections (1)–(3) and sections (5)–(17) and 20 CSR 2085-12.040(1) and sections (3)–(6).

(2) Floor Space Required. Every school of esthetics in Missouri shall have a minimum of one thousand (1,000) square feet of floor space, adequate room for theory instruction, adequate equipment, lockers, and adequate library, two (2) restrooms and a clinical working area for ten (10) students. Minimum

floor space requirement increases fifty (50) square feet per student with student enrollment of over ten (10).

(3) Instruction. Students in a school of esthetics shall comply with all requirements of 20 CSR 2085-12.050.

(4) Minimum Equipment and Training Supplies. Esthetic schools in Missouri shall have on hand and maintain in good working condition at all times the following equipment and training supplies:

- (A) One (1) large dispensary;
- (B) One (1) locker for each student;
- (C) Two (2) or more restrooms to separately accommodate male and female students;
- (D) Two (2) cabinets, one (1) metal fire-resistant and locking filing cabinet for school and student records and one (1) for cosmetic supplies;
- (E) Ten (10) dresserettes, mirrors, and chairs;
- (F) Two (2) stools and two (2) facial chairs and/or tables;
- (G) One (1) wet sterilizer for each station;
- (H) First-aid supplies;
- (I) One (1) complete visual aid teaching system;

(J) One (1) large blackboard;

(K) One (1) time clock for student hours or a reliable record keeping system for tracking and recording student hours;

(L) Adequate inventory of cosmetics, materials, and supplies to meet the daily needs of clinic services;

(M) Sanitary drinking facilities;

(N) A reference library for students as provided in 20 CSR 2085-12.040(2) in addition to textbooks on theory in esthetics. Textbooks, if necessary for coursework, for each student. Textbooks provided must be new; photocopies are not acceptable. All textbooks shall be current.

1. Students shall receive primary textbooks within forty-eight (48) hours of start date;

(O) A janitor's closet for all cleaning supplies;

(P) One (1) large closeable sanitary container for clean towels;

(Q) One (1) sink with hot and cold running water per ten (10) esthetic students;

(R) Eight (8) classroom tables and sixteen (16) chairs for theory;

(S) One (1) large closeable container for soiled towels; and

(T) Individual student kit materials for each student enrolled. All implements and equipment contained in the student kits must be new. Student kits shall include at a minimum the following materials:

1. Skin cleanser;
2. Skin freshener;
3. Foundation;
4. Concealer;
5. Blush;
6. Eye liner pencil;
7. Liquid or cream mascara;
8. Wedge sponges;
9. Powder brush;
10. Contour brush;
11. Applicators;
12. Plastic spatulas; and
13. Esthetic textbook.

(5) Students shall receive student kits prior to the completion of their training. All student kits shall be kept clean and remain free of unsterilized items and tools.

AUTHORITY: sections 329.025.1 and 329.040, RSMo Supp. 2008 and section 329.030, RSMo 2000.* Original rule filed Aug. 10, 2007, effective Feb. 29, 2008. Amended: Filed July 22, 2009, effective Jan. 30, 2010.

*Original authority: 329.025, RSMo 2005, amended 2008; 329.030, RSMo 1939, amended 1995; and 329.040, RSMo 1939, amended 1945, 1959, 1979, 1981, 1987, 1989, 1995, 1997, 2001.

20 CSR 2085-12.090 Cosmetology Instructor Training Schools and Instructor Trainees

PURPOSE: This rule establishes the requirements a school must meet to qualify for the instructor training program.

(1) No school shall be approved for instructor training unless one (1) instructor has been instructing students for at least one (1) year.

(2) Minimum Equipment and Supplies. It is required that all schools approved by the board for instructor training have on hand the following equipment and training supplies:

(A) One (1) complete visual aid teaching system which shall be adequate to materially aid in the proper training education of cosmetology. This visual aid teaching system may include, but is not limited to, the following items: video recorder, overhead projector, film projector, educational films and screen;

(B) One (1) chalk board, at least size four feet by six feet (4' × 6'); and

(C) A reference library for instructor trainees containing the following materials: cosmetology textbooks, a current instructor's manual, textbook on psychology and trade publications. All textbooks and manuals must be current.



(3) Curriculum for instructor training shall include both theory and practical clinic training to include the following:

(A) Two hundred (200) hours—basic principles of student teaching to include: teaching principles, lesson planning, curriculum planning and class outlines, teaching methods, teaching aids, testing and evaluation;

(B) Fifty (50) hours—psychology, as applied to cosmetology, personality and teaching; teacher evaluation, counseling, theories of learning and speech;

(C) Fifty (50) hours—business experience or management including: classroom management, record keeping, buying and inventorying supplies, and state law; and

(D) Three hundred (300) hours—practice teaching in both theory and practical application.

(4) Training and Calculation of Hours.

(A) All schools in Missouri approved by the board for instructor training shall provide a minimum of six hundred (600) hours of training in a curriculum defined by section 329.080, RSMo. Instructor trainee applicants desiring credit for college courses in teaching methodology or for practical experience as a licensed Class CA, Class CH, Class MO and Class E shall submit a request to the board in accordance with 20 CSR 2085-8.010.

(B) All instructor trainees shall be enrolled in a course of study of no less than three (3) hours per day and no more than twelve (12) hours per day, with a weekly total that is not less than fifteen (15) hours and no more than seventy-two (72) hours per week.

(C) Each school or public institution shall define for its own purpose what constitutes a full-time, part-time or evening instructor trainee, but will be required to designate one of these classifications for each instructor trainee enrolled in its program of training and supply this information to the board on the instructor trainee enrollment form.

(D) No instructor trainee shall be permitted to change his/her designated status of enrollment except by the submission of a properly completed change of status form to the board in accordance with 20 CSR 2085-8.010(4).

(E) No portion of an instructor trainee's minimum training requirements may be obtained in course work or demonstrations outside the school of his/her enrollment unless a specific request for this program of instruction is submitted to the board by the school on a form supplied by the board no fewer than fourteen (14) days prior to the next regular meeting of the board and approval is given by the board prior to the requested program. Requests received fewer than fourteen

(14) days prior to the next meeting shall be placed on the agenda for the following meeting. The required ratio of instructor supervision shall be maintained and instructor trainee attendance at the activity verified. Credit shall not be given for time in transit to and from the activity.

(F) Every school shall provide continuous and adequate supervision of its instructor trainees by a licensed instructor. Under no circumstances shall an instructor trainee be left solely in charge of a school.

(5) Trainee Enrollment. It shall be the responsibility of the school to submit instructor trainee enrollment forms to the board at least two (2) weeks prior to the anticipated commencement of an instructor trainee's studies. The application shall be properly completed on a form supplied by the board and shall be accompanied by the following: proof of successful completion of a twelfth grade education (diploma or general educational development (GED) certificate), a sworn statement by the applicant that he/she is in sufficient physical and mental health to study as an instructor trainee and to be an instructor, two (2) United States passport photographs measuring two inches by two inches (2" x 2") taken within the last five (5) years and the enrollment fee.

(A) No instructor trainee shall receive any credit for training received at a school until the application is received and approved by the board and the instructor trainee license is returned to the school. The instructor trainee license is not transferable and shall be conspicuously displayed within the school with a two inch square (2" x 2") photograph taken within the last five (5) years.

(B) All schools' training instructors are required to provide each instructor trainee with an identifying badge designating "Instructor Trainee" to be worn by the instructor trainee at all times during his/her training course.

(6) Any school which has been approved for instructor training by the board shall submit proof to the board that a substitute instructor will be available to that school to assume continuous, uninterrupted instruction. Satisfactory proof will be demonstrated by a contract of agreement, an affidavit or other evidence found to be adequate and trustworthy and which verifies that a substitute instructor will be available.

(7) Termination of Trainees. Within two (2) weeks of the termination of training of any instructor trainee, it shall be the responsibility of the holder of the license to operate a

school to submit to the board a properly completed termination form for the trainee. The form shall be approved by the board and shall contain or be accompanied by the following information:

(A) The name and address of the instructor trainee;

(B) The number of training hours completed by the instructor trainee in theory and practical application, allocated by subject area in each category;

(C) The date of the instructor trainee's termination;

(D) The instructor trainee license; and

(E) A certification of payment/nonpayment of contractual fees that is completed by the school on a form supplied by the board.

(8) Transfers. Any instructor trainee desiring to change schools shall contact the school in which he/she is currently enrolled and request termination. The school shall terminate the instructor trainee as required by 20 CSR 2085-12.090(7) within two (2) weeks of the trainee's request to be terminated.

(9) Under no circumstances shall instructor trainees be allowed to practice cosmetology for compensation during training hours. Every school shall allow its instructor trainees to perform only bona fide demonstrations on members of the general public. A bona fide demonstration is one performed for the instruction of students where one (1) or more students actually observe or participate in the work being performed by the instructor trainee.

AUTHORITY: sections 329.080, RSMo 2000 and 329.025.1, 329.040, 329.050 and 329.085, RSMo Supp. 2006. * Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.

**Original authority: 329.025, RSMo 2005; 329.040, RSMo 1939, amended 1945, 1959, 1979, 1981, 1987, 1989, 1995, 1997, 2001; 329.050, RSMo 1939, amended 1945, 1949, 1961, 1981, 1989, 1995, 1996, 2001, 2005; 329.080, RSMo 1939, amended 1945, 1949, 1959, 1978, 1979, 1981, 1989, 1995, 1997; and 329.085, RSMo 1989, amended 1995, 1997, 2001.*

Rules of Department of Commerce and Insurance

Division 2085—Board of Cosmetology and Barber Examiners

Chapter 13—Crossover Licenses

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2085—Board of Cosmetology
and Barber Examiners
Chapter 13—Crossover Licenses**

20 CSR 2085-13.010 Definitions

PURPOSE: This rule defines crossover licenses for barbering and cosmetology.

(1) Definitions.

(A) Crossover license. A license that is issued to any person that has met the licensure and examination requirements for both barbering and cosmetology.

(B) Crossover establishment. Any establishment that has met the licensure and inspection requirements for both a barber establishment and a cosmetology establishment.

(C) Crossover instructor. Any instructor that has met the licensure and examination requirements for both a barber instructor and a cosmetology instructor.

(D) Crossover operator. Any person that has met the licensure and examination requirements to practice as a barber and any classified occupation of cosmetology.

(E) Crossover school. Any school that has met the licensure and inspection requirements for both a barber school and a cosmetology school.

AUTHORITY: Chapters 328 and 329, RSMo 2000 and Supp. 2007 and sections 329.010.7 and 329.025.1, RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: Chapters 328 and 329, see Missouri Revised Statutes; 329.010, RSMo 1939, amended 1979, 1995, 2001, 2004, 2005; and 329.025, RSMo 2005.*

20 CSR 2085-13.020 Rules Applicable to All Crossover Licensees

PURPOSE: This rule establishes requirements for obtaining a crossover license.

(1) Applications for any crossover license issued by the board shall be made on the forms provided by the board and shall be subject to all fees applicable to the license requested, in addition to any other fee required by law. Applications may be obtained by writing or calling the State Board of Cosmetology and Barber Examiners at PO Box 1062, Jefferson City, MO 65102, and by telephone at (866) 762-9432. The board shall not consider any application for a crossover license, unless it is fully completed and accompanied by the applicable licensing fee.

(2) Applicants who successfully complete the requirements for a crossover license shall be issued a single crossover license. Upon issuance of a crossover license, any individual barber, cosmetology, establishment, school or instructor license issued by the board shall become null and void and shall be immediately returned to the board office. A crossover licensee shall comply with all rules relating to the posting of a license issued by the board provided that a crossover licensee may display the single crossover license as evidence of licensure for both barbering and cosmetology professions.

(3) Except as otherwise provided in the rules of the board, all crossover licenses shall be subject to and comply with all rules applicable to the barber and cosmetology activities or functions for which the crossover licensee is authorized to practice or conduct including, but not limited to, all applicable sanitation rules.

(4) License Conversion. Subject to Chapters 328 and 329, RSMo, a crossover licensee may choose to convert a crossover license to an individual barber or cosmetology operator, school, college or establishment license, whichever is applicable, at their next renewal period or may apply to the board on the forms provided by the board and pay the license fee for the individual license requested. Upon being issued an individual license pursuant to this subsection, the applicant shall surrender and submit the crossover license to the board and the crossover license shall be terminated.

(5) Display of License. The current crossover license shall be posted in a conspicuous place at all times. The crossover operator license for each individual barber or cosmetologist shall be posted at each respective work station.

AUTHORITY: Chapters 328 and 329, RSMo 2000 and Supp. 2007 and sections 329.010.7 and 329.025.1, RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: Chapters 328 and 329, see Missouri Revised Statutes; 329.010, RSMo 1939, amended 1979, 1995, 2001, 2004, 2005; and 329.025, RSMo 2005.*

20 CSR 2085-13.030 Crossover Operator Licensing—(New Licensees)

PURPOSE: This rule establishes requirements for currently licensed persons to obtain a crossover license to practice barbering and cosmetology.

(1) Except as otherwise provided by this rule, any person may apply for a crossover license to practice as a barber and as a cosmetologist. Any person seeking licensure under this rule shall submit an application to the board on a form provided by the board and pay the initial license fee. To be eligible for licensure, applicants for a crossover barber and cosmetology operator license shall comply with all training, application, examination and licensure requirements applicable to both barbering and the cosmetology license requested.

(2) Upon successful completion of all licensing and examination requirements, and payment of all applicable fees, the board will issue a single crossover license to the applicant which shall authorize the applicant to practice as both a barber and as a cosmetologist in the classification of cosmetology for which the applicant has been approved by the board.

(3) No person shall be allowed to enter barber apprenticeship training and cosmetology apprenticeship training at the same time. Any applicant desiring to study as both a barber and cosmetology apprentice shall first successfully complete one course of apprenticeship training in any other profession licensed by the board. The apprentice applicant may select which apprenticeship training he/she would like to begin first (barber apprenticeship training or cosmetology apprenticeship training). Training completed in a cosmetology apprenticeship shall not be credited towards the hours required for a barber apprenticeship nor shall training hours completed in a barber apprenticeship be credited towards the training hours required for a cosmetology apprenticeship.

(4) Any person who enrolls as a barber student and a cosmetology student at the same time must separately enroll as a student for each course of study. Except as otherwise provided in the rules of the board, training hours/credits completed in a cosmetology curriculum shall not be credited towards the hours required for barber training nor shall training hours completed in a barber curriculum be credited towards the training hours required for cosmetology.

(5) For the purpose of meeting the minimum requirements for examination, any barber or cosmetology training completed by a student or apprentice shall only be recognized by the board for a period of five (5) years from the date the board issues the relevant student or apprentice license to a person.



(6) The provisions of this rule are applicable to applicants for a crossover operator license who are not actively licensed by the board as a cosmetologist or barber at the time the crossover license application is submitted to the board.

AUTHORITY: Chapters 328 and 329, RSMo 2000 and Supp. 2007 and sections 329.010.7 and 329.025.1, RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: Chapters 328 and 329, see Missouri Revised Statutes; 329.010, RSMo 1939, amended 1979, 1995, 2001, 2004, 2005; and 329.025, RSMo 2005.*

20 CSR 2085-13.040 Crossover Operator Licensing—(Currently Licensed Barbers)

PURPOSE: This rule establishes requirements for a currently licensed barber to obtain a crossover license to practice cosmetology.

(1) The provisions of this rule are applicable to applicants for a crossover license to practice cosmetology that currently hold an active Missouri barber license issued by this board. A licensed Missouri barber may only apply for a cosmetology license under this rule if the applicant's Missouri barber license is active, in good standing and not subject to any disciplinary terms. Missouri barbers who are not eligible for licensure under this rule shall comply with the requirements of 20 CSR 2085-13.030 to be eligible for a crossover license to practice any of the classified occupations of cosmetology.

(2) Esthetician and Manicuring Licenses. Any person currently licensed as a barber by the board may apply for a crossover license to also practice as a Class-MO cosmetology licensee to practice as a manicurist or a Class-E cosmetology licensee to practice as an esthetician. Barber applicants shall be subject to, and must comply with, all application, education, training, examination and licensure requirements applicable to the license sought.

(3) Class-CH licenses (Hairdressing). Barber applicants for a crossover Class-CH cosmetology license shall be required to complete all Class-CH training and education requirements required by this rule. Applicants that are Missouri licensed barbers prior to applying for a crossover Class-CH cosmetology license shall be credited by the board for their previous barber experience and/or training as provided by herein.

(A) Education. Barber applicants for a

crossover Class-CH cosmetology license shall complete a minimum of five hundred (500) hours of cosmetology training in a Class-CH curriculum in a cosmetology school licensed by the board.

(B) The five hundred (500) hours of cosmetology training required by this rule shall be taken in any of the cosmetology subject areas identified in Column B of 20 CSR 2085-12.050. Two (2) years of experience as a Missouri licensed barber immediately prior to the time of application may be substituted for two hundred fifty (250) of the required five hundred (500) hours of training and three (3) years of experience as a Missouri licensed barber may be substituted for all of the five hundred (500) required hours of additional cosmetology training. Barber applicants shall only be credited for training as provided in this rule if the applicant's Missouri barber license was active, in good standing and not subject to any probationary terms or disciplinary action by the board during the entire term of the applicable two (2) or three (3) year licensing period.

(C) Barber applicants may apply for a cosmetology apprenticeship to complete the required cosmetology training for a Class-CH cosmetology license. A barber apprentice for a Class-CH cosmetology license shall be required to complete a minimum of one thousand (1,000) apprentice hours for a crossover Class-CH cosmetology license. A Missouri licensed barber who has practiced in this state for two (2) years immediately prior to the time of application shall be required to complete a minimum of five hundred (500) hours of apprentice training. Apprentices and programs of apprenticeship must comply with section (5) of this rule.

(D) Upon successful completion of the cosmetology training required by this section, the licensed barber applicant will be credited for the barber's previous experience and education and shall take and successfully pass the written and practical portion of the state Class-CH cosmetology examination.

(4) Class-CA licenses. Barber applicants for a crossover Class-CA cosmetology license shall be required to complete all Class-CA training and education requirements required by this rule. Applicants that hold a current Missouri barber license at the time application is made for a crossover Class-CA cosmetology license shall be credited by the board for their previous barber experience and/or training as provided by this rule.

(A) Education. Barber applicants for a crossover Class-CA cosmetology license shall complete a minimum of five-hundred (500) hours of cosmetology training, in the following subjects:

Subject	Hours
Manicuring, hand and arm massage and treatment of nails	220
Sanitation and Sterilization	25
Anatomy	15
Study of the use and application of certain chemicals	40
Additional cosmetology training	200

The "additional cosmetology training" hours identified herein may be taken in any of the cosmetology subject areas identified in Column B of 20 CSR 2085-12.050. Two (2) years of experience as a Missouri licensed barber immediately prior to the time of application may be substituted for two hundred fifty (250) of the required five hundred (500) hours of training and three (3) years of experience as a Missouri licensed barber may be substituted for all of the five hundred (500) required hours of additional cosmetology training. Barber applicants shall only be credited for training as provided in this rule if the applicant's Missouri barber license was active, in good standing and not subject to any probationary terms or disciplinary action by the board during the entire term of the applicable two (2) or three (3) year licensing period.

(B) Barber applicants may apply for a cosmetology apprenticeship to complete the required cosmetology training for a Class-CA cosmetology license. A barber apprentice for a Class-CA cosmetology license shall be required to complete a minimum of one-thousand (1,000) apprentice hours for a crossover Class-CA cosmetology license. A Missouri licensed barber who has practiced in this state for two (2) years immediately prior to the time of application shall be required to complete a minimum of five hundred (500) hours of apprentice training. Apprentices and programs of apprenticeship must comply with section (5) of this rule.

(C) Upon successful completion of the cosmetology training required by this section, the licensed barber applicant will be credited for the barber's previous experience and education and shall take and successfully pass the written and practical portion of the state manicuring examination.

5) Apprenticeships. A Missouri licensed barber may apply for a cosmetology apprenticeship training program to qualify for a crossover license to practice cosmetology. Apprentice applicants shall be subject to and must comply with all rules applicable to cosmetology apprentices for the license requested, including 20 CSR 2085-9.010(1) and (2). Applicants that hold a current Missouri barber license shall not be required to resubmit with their applications for an apprenticeship



proof of age or two (2) character references, unless otherwise requested by the board.

(A) Applicants for an apprenticeship shall complete all cosmetology apprentice hours required by Missouri law, provided that barber applicants who are eligible for a crossover Class-CA or Class-CH cosmetology license under section (3) of this rule shall only be required to complete a minimum of one-thousand (1,000) apprentice hours for the license requested.

(B) An apprenticeship training program must be supervised by a licensed cosmetologist approved by this board as an apprentice supervisor for the classification of cosmetology to be apprenticed. The board will not recognize, and no apprentice supervisor shall certify, report or recognize, any training time or hours during which an apprentice for a crossover license to practice cosmetology acted or practiced solely as a licensed barber.

(6) The board has the right to deny or discipline any crossover license requested by this board for any grounds authorized by law, including, Chapters 328 and 329, RSMo.

(7) All applications for a crossover license under this rule shall be submitted to the board on a form designated by the board with the applicable license fee.

AUTHORITY: Chapters 328 and 329, RSMo 2000 and Supp. 2007 and sections 329.010.7 and 329.025.1, RSMo Supp. 2007.* Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.

*Original authority: Chapters 328 and 329, see Missouri Revised Statutes; 329.010, RSMo 1939, amended 1979, 1995, 2001, 2004, 2005; and 329.025, RSMo 2005.

20 CSR 2085-13.050 Crossover Operator Licensing (Currently Licensed Cosmetologists)

PURPOSE: This rule establishes requirements for currently licensed cosmetologists to obtain a crossover license to practice barbering.

(1) The provisions of this rule are applicable to applicants for a crossover license to practice as a barber that currently hold an active Missouri cosmetology license issued by this board. A licensed Missouri cosmetologist may only apply for a barber license under this rule if the applicant's Missouri cosmetology license is active, in good standing and not subject to any disciplinary terms. Missouri cosmetologists who are not eligible for licensure under this rule shall comply with the requirements of 20 CSR 2085-13.020 and 20 CSR 2085-13.030 to be eligi-

ble for a crossover license to practice as a barber.

(2) Esthetician and Manicuring Licenses. Any person currently licensed as a Class-E or Class-MO cosmetologist by the board may apply for a crossover license to also practice as a barber. Currently licensed cosmetology applicants shall be subject to, and must comply with, all application, education, training, examination and licensure requirements for a barber license.

(3) Class-CH and Class-CA Licensees. Applicants that are licensed by this board as a Class-CH or Class-CA cosmetologist prior to applying for a crossover barber license shall be credited by the board for their previous cosmetologist barber experience and/or training as provided by this rule.

(A) Education. To be eligible for licensure, a Missouri licensed cosmetologist shall complete a minimum of forty-five (45)-hours of barber training, in the following subjects:

Subject	Hours
History	5
Shaving	40

(B) Upon successful completion of the barber training required by this rule, a licensed Class-CH or Class-CA cosmetologist will be credited for the licensee's previous cosmetology experience and/or education and shall be eligible to take the state barber examination.

(C) Any Class-CH or Class-CA cosmetologist that has been licensed by this board as a cosmetologist for less than one (1) year, shall be required to take and successfully pass the written and practical portion of the state barber examination. A cosmetologist who has been actively licensed by this board as a Class-CH or Class-CA cosmetologist for at least one (1) year immediately prior to applying for a crossover barber license shall only be required to pass that portion of the state barber examination that is applicable to shaving, provided that the applicant's Missouri cosmetology license must have been active, in good standing and not subject to any probationary terms or disciplinary action during the one (1) year licensing period.

(4) Apprenticeships. A Missouri licensed cosmetologist may apply for a barber apprenticeship training program to qualify for a crossover barber license. Apprentice applicants shall be subject to and must comply with all rules applicable to barber apprentices, including 20 CSR 2085-9.010(1) and (2). Applicants shall not be required to resubmit with their applications for an apprenticeship proof of age, proof of successful completion of the tenth grade or two (2) character

references, unless otherwise requested by the board.

(A) Applicants for an apprenticeship shall complete all barber apprentice hours required by Missouri law, provided that currently licensed Class-CA or Class-CH cosmetologists shall only be required to complete a minimum of ninety (90) apprentice barber training hours for a barber license.

(B) An apprenticeship training program must be supervised by a licensed barber approved by this board as a barber apprentice supervisor. The board will not recognize, and no apprentice supervisor shall certify, report or recognize, any training time or hours during which an apprentice for a crossover barber license acted or practiced solely as a licensed cosmetologist.

(5) A licensed cosmetologist whose license is expired or is not active may not apply for a crossover license pursuant to this rule.

(6) The board has the right to refuse, deny or probate any crossover license requested by this board for any grounds authorized by law, including, Chapters 328 and 329, RSMo.

(7) All applications for a crossover license under this rule shall be submitted to the board on a form designated by the board with the applicable license fee.

AUTHORITY: Chapters 328 and 329, RSMo 2000 and Supp. 2007 and sections 329.010.7 and 329.025.1, RSMo Supp. 2007.* Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.

*Original authority: Chapters 328 and 329, see Missouri Revised Statutes; 329.010, RSMo 1939, amended 1979, 1995, 2001, 2004, 2005; and 329.025, RSMo 2005.

20 CSR 2085-13.060 Crossover Establishments

PURPOSE: This rule establishes requirements for crossover establishments.

(1) Establishments. Any person or entity may apply for a crossover license to operate both a barber and cosmetology establishment at the same physical location. Except as provided by this rule, applicants for a crossover establishment license shall comply with, and be governed by, all provisions of 20 CSR 2085-10.010 through 20 CSR 2085-10.050.

(2) A crossover license shall only be issued for an establishment where the barber and cosmetology functions will be located at the same physical location. If a different physical location is used for any of the barber or cosmetology activities or functions for which



a license is required, a separate license must be obtained for each location.

(3) No establishment shall open in Missouri until the board receives a completed application, on a form supplied by the board, the biennial establishment fee is paid, the establishment passes a board inspection, and the application is approved by the board. If an establishment opens for business before the board issues the original establishment license, a delinquent fee shall be assessed in addition to all other required licensure fees, and the board may take legal action pursuant to Chapters 328 and/or 329, RSMo.

(4) Original Licensure. A crossover establishment license shall only be valid for the owners, address and name provided for the establishment in the initial crossover establishment license application. The initial license holder shall retain establishment ownership and responsibility for ensuring that the establishment is operated according to all applicable provisions of Chapters 328 and 329, RSMo, and the regulations of the board.

(A) Change of Location or Ownership: If at any time during the license period the establishment location, and/or ownership changes, the owner(s) of the establishment shall submit an application for a new establishment license to the board within forty-five (45) days after the ownership or location change and the applicable change of location and/or ownership fee. The original license of the establishment shall become void as to the new location and/or new owners upon expiration of the forty-five (45) day period and shall be returned to the board. No barber or cosmetology services shall be performed or offered to be performed under the new ownership or at the new location after the forty-five (45) day period expires until the establishment is issued a license by the board for the new owners and/or new location.

1. New ownership. It is the responsibility of the new owner(s) to submit the establishment application to the board accompanied by the change of ownership fee.

2. Adding a co-owner. It shall be the responsibility of the co-owners to submit the establishment location to the board accompanied by the applicable fee.

3. Deleting a co-owner. If a co-owner(s) ceases ownership of an establishment, it shall be the responsibility of the establishment's remaining owner(s) to notify the board of this change in writing. The written notice shall serve as documentation of the change and a new application shall not be required.

4. A corporation is considered by law to be a separate person. If a corporation owns an establishment, it is not necessary to obtain a new establishment license or to file an

amended application for an establishment license if the owners of the stock change. However, as a separate person, if a corporation begins ownership of an establishment or ceases ownership of an establishment, a new establishment license must be obtained regardless of the relationship of the previous or subsequent owner to the corporation.

5. A crossover establishment license shall not be issued until the establishment passes a board inspection, the establishment is in compliance with all applicable sanitation rules and the application is approved by the board.

(5) Rental Space/Chair Licensing. Any person licensed by the board who rents individual space or a booth/chair within a licensed establishment for the purpose of practicing as a crossover barber or cosmetologist shall be required to obtain a separate crossover establishment license for the rental space. Licensees that rent individual space or a booth/chair within a licensed barber or cosmetology establishment for the purpose of operating as a crossover licensee must possess a current crossover establishment license as well as a crossover operator license. This subsection does not apply to licensees operating as establishment employees.

(A) Each establishment license issued to a renter under this rule shall be valid only for the licensee, address and name identified in the initial establishment license application.

(B) Applications for an establishment license under this subsection shall be submitted on a form provided by the board and shall comply with the requirements defined in 20 CSR 2085-10.010(1)(A)1-4.

(C) Change of Location or Ownership. If the location or ownership of the establishment changes during the license period, the owner shall submit an application for a new establishment license to the board within forty-five (45) days after the ownership or location change with the applicable change of location and/or change of ownership fee.

1. The board shall not issue a license for the new ownership or location until the establishment passes a board inspection, the establishment is in compliance with all applicable sanitation rules under 20 CSR 2085-11.010 and 20 CSR 2085-11.020 and the application is approved by the board.

2. The original license of the establishment shall become void as to the new location and/or new owners upon expiration of the forty-five (45)-day period and shall be returned to the board.

3. No barber or cosmetology services shall be performed or offered to be performed under the new ownership or at the new location after the forty-five (45)-day period expires until the establishment is

issued a license by the board for the new owners and/or new location.

(D) Name Changes. If at any time during the license period the name of the establishment is changed, the original establishment license shall become void as to the prior name and the license holder shall submit an application to the board for an establishment license for the new name with the biennial establishment fee. No barber or cosmetology services shall be performed or offered to be performed under the new name until an establishment license is issued by the board for the new name. The board shall be notified immediately in writing by the license holder(s) of an establishment name change.

(E) Display of License. The current establishment license for the rental space/chair shall be posted in a conspicuous place at all times. The licensee's barber or cosmetology license shall also be posted at each respective work station.

(F) Application for an establishment license under this section shall be made on forms provided by the board and accompanied by the biennial establishment fee.

(G) Except as provided herein, no person shall provide or offer to provide barber or cosmetology services at a rented space, booth or chair before an establishment license has been obtained as required by this rule. If barber or cosmetology services are performed or offered at the rented space or chair before an establishment license is issued as required by this section, a delinquent fee shall be assessed in addition to all other required licensure fees, and the board may take legal action pursuant to Chapters 328 and/or 329, RSMo.

(6) Name Change of Establishment. If at any time during the license period the name of the crossover establishment is changed, the original establishment license shall become void as to the prior name and the owners of the establishment shall submit an application to the board for an establishment license for the new name with the biennial establishment fee. The application must be made in writing and shall be accompanied by two (2) forms of identification, a duplicate license fee and, if applicable, the establishment license currently in the license holder's possession.

(A) The board shall be notified immediately in writing by the license holder(s) of an establishment name change.

(B) No barber or cosmetology services shall be performed or offered to be performed under the new name until the establishment is issued a license by the board for the new name.

(7) Delinquent Fee. If a crossover establishment opens for business before the board



issues a new establishment license as required by this rule following a change of location, name, or ownership, a delinquent fee shall be assessed in addition to all other required licensure fees, and the board may take legal action pursuant to Chapters 328 and 329, RSMo.

(8) Establishment Closures.

(A) Voluntary Establishment Closures. When a crossover establishment terminates its business, the holder of the establishment license shall provide written notice of the establishment closure to the board within thirty (30) days following the closure. This written notice may be submitted on a form provided by the board or by letter. The notice must be signed by the holder of the establishment license and include the name, address and license number of the establishment, the name and address of the establishment license holder, and the date of closure. Upon actual termination of business, the establishment license shall be returned to the board for surrender either in person or by registered or certified mail. If the original license has been lost, stolen, destroyed, or was never received, the establishment license holder shall submit along with the notice of voluntary closure an affidavit attesting to such facts.

(B) Administrative Establishment Closures by the Board. When a crossover establishment terminates its business and the establishment license holder fails to submit to the board a notice of voluntary closure, the board or its representative may administratively close the establishment by submitting notice of an administrative establishment closure to the board. The board shall provide written notice of the administrative establishment closure by mailing written notice to the establishment and to the last known address of the establishment license holder. An administrative establishment closure shall not be considered discipline.

(C) The board shall not mail a renewal application for the next licensing period to those establishments which have been voluntarily or administratively closed.

(D) No one licensed by the board may perform or offer to perform cosmetology or barber services in a closed crossover establishment until a new establishment license has been issued by the board.

(E) Where the board administratively closes an establishment for which the establishment license has not otherwise expired, no one may perform or offer to perform barber or cosmetology services in that establishment until the holder of the establishment license notifies the board in writing that the establishment is again open for business. Upon receipt of such notice, the board shall restore the status of the establishment license for the

remainder of the current licensing period, provided all fees have been paid.

(9) All applications for a crossover establishment license shall be submitted to the board on a form designated by the board with the applicable license fee.

AUTHORITY: Chapters 328 and 329, RSMo 2000 and Supp. 2007 and sections 329.010.7 and 329.025.1, RSMo Supp. 2007. Original rule filed Aug. 10, 2007, effective Feb. 29, 2008.*

**Original authority: Chapters 328 and 329, see Missouri Revised Statutes; 329.010, RSMo 1939, amended 1979, 1995, 2001, 2004, 2005; and 329.025, RSMo 2005.*

20 CSR 2085-13.070 Crossover Schools

PURPOSE: This rule establishes general requirements for a school crossover license.

(1) Schools. Any person or entity may apply for a crossover license to operate both a barber and cosmetology school at the same physical location. Except as provided by this rule, applicants for a crossover school license shall comply with all rules applicable to both barber and cosmetology schools. A crossover license shall only be issued to schools where barber and cosmetology services are taught at the same physical location. If a different physical location is used for any of the barber or cosmetology instruction or functions for which a license is required, a separate license must be obtained for each location.

(2) Application Requirements. School applicants shall submit one floor plan for the entire crossover facility. Floor plans shall comply with the square footage requirements for both barber schools and the applicable cosmetology school and shall clearly indicate the separately designated clinical areas for barber and cosmetology students required by section (3) of this rule.

(A) Applications for a crossover school license will be reviewed and approved as provided in 20 CSR 2085-12.010. Final approval of a crossover school license by the board will be made upon final inspection of the school establishment. Applicants for a crossover school license that are licensed to operate a barber or cosmetology school at the time of application for a crossover school license shall be required to undergo a final inspection of the entire crossover facility.

(B) Applications shall include the name and address of each licensed instructor to be employed, provided that any school having only one (1) instructor per twenty-five (25) students in any professional training/instruction

program shall also state the name and address of a substitute instructor who will be available for such profession.

1. Any barber school having only one (1) instructor per fifteen (15) students shall also state in their application the name and address of a substitute instructor who will be available.

2. Any cosmetology school having only one (1) instructor per twenty-five (25) students shall state in their application the name and address of a substitute instructor who will be available.

(C) Applicants for a crossover school license shall submit to the board separate curriculums for barber training/instruction and cosmetology training/instruction with the application for licensure.

(D) The school shall report any crossover student that has terminated his/her barber or cosmetology training as required by the rules of the board governing termination of students. Termination forms must be submitted even if the crossover student has been terminated from only one (1) program of instruction (barber or cosmetology) and is still enrolled in another program of instruction.

(E) The board shall not approve any application for a crossover school license that does not comply with the requirements of this rule.

(3) Upon licensure, crossover school licensees shall comply with all rules applicable to both barber schools and the applicable cosmetology school, including the following:

(A) Except as otherwise provided in this section, a crossover school licensee may use designated common areas for both barber and cosmetology purposes provided that no space or area(s) may be used for both barber training/instruction and cosmetology training/instruction at the same time.

(B) All barber work stations required by 20 CSR 2085-12.010(4)(C), shall be kept separated from the cosmetology clinical area at all times. However, barber work stations and cosmetology clinical areas may be located in the same room if the barber work stations are physically separated from the cosmetology clinical area at all times and can be easily and individually identified by the board or its designee. Barber work stations in a crossover licensed school shall contain all equipment required by, and comply with all provisions of 20 CSR 2085-12.010 and 20 CSR 2085-12.020 applicable to barber work stations.

(C) This rule does not prohibit the common use of locker rooms, reception areas, libraries, restrooms, drinking facilities, eating areas, a janitor's closet, shampoo bowls equipped with hot and cold running water



plus chairs, or first-aid facilities for both barber and cosmetology students.

(D) Every crossover school shall employ, and have present during regular school hours, a minimum of one (1) Missouri licensed barber instructor for every fifteen (15) barber students in attendance for a given class period and a minimum of one (1) Missouri licensed cosmetology instructor for every twenty-five (25) cosmetology students in attendance for a given class period.

(E) A crossover school licensee shall maintain all barber student records separately from records for cosmetology students. Records for crossover students shall be adequately maintained and shall clearly and separately identify the hours or credits, whichever is applicable, earned by a student in barber training/instruction and the hours or credits earned in cosmetology training/instruction. Records shall be maintained by the crossover school licensee in a manner that will allow the board or its designee to easily and separately identify the individual hours or credits earned by a crossover student for barbering and cosmetology, respectively.

(4) Students. Except as provided by this rule, crossover students shall be subject to and required to comply with all rules and requirements applicable to both barber students and the cosmetology students enrolled, including all education, training and examination requirements.

(5) School Location and Ownership. Each license for a crossover school issued by the board shall be valid only for the premises located at that address and board-approved ownership as provided in the initial application for the school. If at any time during the license period, the physical plant or operation of a school is moved to a new address, if ownership is transferred, or if substantial interest fifty-one percent (51%) or more of a partnership or corporation is altered in a way as to affect the registered ownership, then the license for the school shall become void. It shall be the responsibility of the holder of the license of the school to notify the board of any changes.

(A) If there is to be a change in a substantial interest of a partnership or corporation which affects the registered ownership, the owner(s) shall file an application for a new crossover license in accordance with this rule.

(B) If there is to be a change in a minority interest of a partnership or corporation which does not affect the registered ownership, it shall be the responsibility of the holder(s) of the school license to submit a sworn affidavit to the board as notification of the change and

to supply a full listing of partners/shareholders and ownership percentages of each.

(C) Change of Location. If the physical plant or operation of a school is to be moved to a new address, it shall be the responsibility of the holder(s) of the school license to submit a change of location application prior to reopening at the new location. The application shall contain:

1. Name and address of the owner(s) or lessor(s) and lessee(s) where appropriate;

2. The school's complete mailing address;

3. A copy of the proposed facility's floor plan, giving approximate dimensions and square footage for both the barber and cosmetology training/instruction areas. The floor plan shall comply with the floor plan requirements for both barber schools and the requested cosmetology school(s);

4. A list of the proposed equipment and training supplies by quantity and type;

5. A list detailing all implements and equipment that will be included in student kits;

6. A list of the proposed school rules;

7. The requisite fee;

8. The maximum enrollment allowed for the facility based on square footage;

9. A copy of the student contract which shall include the notice required by 20 CSR 2085-12.010(2)(K); and

10. The name and address of each licensed instructor to be employed; provided, any school having only one (1) instructor per twenty-five (25) students in any professional training/instruction program shall also state the name and address of a substitute instructor who will be available for such profession; and

(D) Final approval of a school by the board, based on a change of location, will be made upon final inspection of the establishment.

(E) Name Changes. If the name of a school is to be changed by the owner(s), the change may be made on the renewal application for the school or, if at any time during the license period, the owner(s) shall submit a change of name request on a form supplied by the board, accompanied by the school's license and the duplicate license fee.

(6) Applicants for a new, renewed or reinstated crossover school or establishment license that have opened a school or establishment prior to obtaining the required license from this board shall be required to pay a delinquent fee as established by the board.

(7) All applications for a crossover school license shall be submitted to the board on a

form designated by the board with the applicable license fee.

AUTHORITY: sections 328.090, 328.120, 329.010.7, 329.025, and 329.040, RSMo Supp. 2013.* Original rule filed Aug. 10, 2007, effective Feb. 29, 2008. Amended: Filed Sept. 13, 2013, effective Feb. 28, 2014.

*Original authority: Chapters 328 and 329, see Missouri Revised Statutes; 329.010, RSMo 1939, amended 1979, 1995, 2001, 2004, 2005; and 329.025, RSMo 2005, 2008.

20 CSR 2085-13.080 Crossover Instructors

PURPOSE: This rule establishes requirements for obtaining a crossover instructor license.

(1) New Applicants. Any person or entity may apply for a crossover license to instruct in both barbering and cosmetology. Except as provided by this rule, applicants for a crossover instructor license shall comply with all training, application and licensure requirements applicable to both the barber instructor and the cosmetology instructor license requested. An applicant shall only be eligible for a crossover instructor license if the applicant is licensed by the board as a barber and is licensed by the board as a cosmetologist for the classified occupation of cosmetology that the applicant will be instructing. Applicants for a crossover instructor license pursuant to this section shall be eligible for a crossover instructor license upon successfully completing all education and training requirements required for cosmetology instructors and successfully passing the licensure instructor examination.

(2) Currently Licensed Barber Instructors. Applicants who are licensed by the board as a barber instructor shall be eligible for a crossover instructor license to also teach cosmetology upon successful completion of the required instructor education or training required by section 329.080, RSMo without further examination. The education or training hours required by law may be reduced as provided by section 329.080, RSMo. A barber instructor eligible for licensure under this rule shall apply to the board for a crossover instructor license as required by 20 CSR 2085-13.070 and pay the applicable fee.

(3) Currently Licensed Cosmetology Instructors. Any person that is licensed as a cosmetology instructor by this board shall be eligible to teach barbering without further examination or instruction, provided the instructor's license is active, in good standing and not subject to any disciplinary or probationary terms at the time application is made.



A cosmetology instructor eligible for a barber instructor license under this rule shall apply to the board for a barber instructor license as required by 20 CSR 2085-6.010 and pay the applicable fee.

(4) All applications for a crossover instructor license shall be submitted to the board on a form designated by the board with the applicable license fee.

AUTHORITY: Chapters 328 and 329, RSMo 2000 and Supp. 2007 and sections 329.010.7 and 329.025.1, RSMo Supp. 2007.* Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.

*Original authority: Chapters 328 and 329, see Missouri Revised Statutes; 329.010, RSMo 1939, amended 1979, 1995, 2001, 2004, 2005; and 329.025, RSMo 2005.

20 CSR 2085-13.090 Crossover Reciprocity

PURPOSE: This rule establishes requirements for obtaining crossover licensure by reciprocity.

(1) Reciprocity. Any person who desires a crossover license by reciprocity shall make application to the board and pay the applicable fee. An applicant is eligible for a crossover license by reciprocity if the applicant meets the requirements for both a barber license and the cosmetology license requested under the reciprocity rules governing each respective profession. Reciprocity applicants shall comply with all rules applicable to both barber and cosmetology reciprocity applicants.

AUTHORITY: Chapters 328 and 329, RSMo 2000 and Supp. 2007 and sections 329.010.7 and 329.025.1, RSMo Supp. 2007.* Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.

*Original authority: Chapters 328 and 329, see Missouri Revised Statutes; 329.010, RSMo 1939, amended 1979, 1995, 2001, 2004, 2005; and 329.025, RSMo 2005.

20 CSR 2085-13.100 Crossover Renewals, Inactive Licenses and Reinstatements

PURPOSE: This rule establishes requirements for crossover renewals, inactive licenses and reinstatements for crossover licenses.

(1) Renewals. Every two (2) years (biennially) the renewal application for active crossover licensees must be completed, signed, accompanied by the appropriate renewal fee, and returned to the board office prior to the expiration date of the license. All

licenses shall expire on September 30 of each odd-numbered year. Any application postmarked after September 30 will be returned and the applicant will be required to reinstate.

(A) Failure of a licensee to receive the notice and application to renew his/her license shall not excuse him/her from the requirements of Chapters 328 and 329, RSMo, to renew that license. A license, which has not been renewed prior to the renewal date, or placed on inactive status, shall expire on the renewal date. Any licensee who fails to renew shall not perform or offer to perform any act for which a license is required.

(B) During the renewal period, an applicant may apply to solely renew either the barber or cosmetology portion of the applicant's crossover license. A former crossover applicant seeking to renew his/her license in a single profession under this subsection shall comply with all requirements and fees applicable to the renewal of the individual license sought. Upon being issued an individual license pursuant to this subsection, the applicant shall surrender and submit the crossover license to the board and the crossover license shall be deemed null and void.

(C) Renewal applicants for a crossover school or establishment license shall comply with 20 CSR 2085-12.010(7) and 20 CSR 2085-10.010(4).

(2) Inactive Licenses. A crossover operator licensee or instructor may choose to place his/her license on an inactive status by signing a change in licensure status affidavit stating that he/she will not practice as a crossover licensee in Missouri and submitting that application to the board office along with the inactive license fee. An inactive license will be issued to individuals requesting inactive status. All inactive licenses shall expire on September 30 of each odd-numbered year.

(A) If the licensee decides to again practice as a licensee he/she must complete a reactivation application and submit it along with the current renewal fee. The board reserves the right pursuant to Chapters 328 and 329, RSMo, to direct any such applicant to take an examination to reactivate.

(B) To reactivate the license, instructors shall be required to attend a board approved seminar within the two (2) years immediately preceding the reactivation date and submit evidence of attendance with a change in licensure status affidavit for each activated license.

(C) An inactive crossover licensee is not eligible to practice in Missouri and will be subject to disciplinary action if he/she practices or offers to practice in Missouri as a barber or cosmetologist. Any inactive instructor is not eligible to teach while holding an inactive license and will be subject to

disciplinary action if he/she teaches or offers to teach in Missouri.

(3) Reinstatement of Expired License—Cosmetologist and Instructors. The holder of an expired crossover cosmetologist or instructor license may submit an application to the board to reinstate that license without examination within two (2) years of the date the license expired. The application shall be on a form supplied by the board and shall be accompanied by the license renewal fee plus the late fee and other information as the board may require.

(A) Any person who has allowed his/her crossover license to expire for a period of more than two (2) years but less than five (5) years may submit an application to the board to reinstate that license by examination. The applicant for reinstatement shall be required to complete the applicable practical portions of the state licensure examinations for both a barber license and the requested cosmetology license.

(B) Any person who has allowed his/her crossover license to expire for a period of more than five (5) years may submit an application to the board to reinstate the crossover license and shall be required to complete all examination and training requirements applicable to new licensees for a crossover license.

(C) Applications for reinstatement by examination shall be properly completed on a form supplied by the board and shall include or be accompanied by the individual's license number, the license renewal fee and the late fee, two (2) United States passport photographs measuring approximately two inches by two inches (2" × 2") which have been taken within the last five (5) years and other information as the board may require.

(D) In order to be scheduled for examination to reinstate an expired license, the properly completed application must be received by the board along with the required fees no fewer than fourteen (14) days prior to the first day of each scheduled examination. Applications received after this cut-off date and all applications received after every available space for the examination has been filled, whether that application was received prior to or after this cut-off date, shall be scheduled for the next regularly scheduled examination.

(E) In lieu of reinstatement of the crossover license, an applicant may apply to individually reinstate just the applicant's barber license or cosmetology license. A former crossover applicant seeking to reinstate his/her license in a single profession shall comply with 20 CSR 2085-5.010 for prospective barber licensees or 20 CSR 2085-7.010 for prospective cosmetology licensees.



AUTHORITY: Chapters 328 and 329, RSMo 2000 and Supp. 2007 and sections 329.010.7 and 329.025.1, RSMo Supp. 2007. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008.*

**Original authority: Chapters 328 and 329, see Missouri Revised Statutes; 329.010, RSMo 1939, amended 1979, 1995, 2001, 2004, 2005; and 329.025, RSMo 2005.*

Rules of
**Department of Commerce and
Insurance**

**Division 2085—Board of Cosmetology and Barber
Examiners**

Chapter 14—Violations and Hearings

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2085—Board of Cosmetology
and Barber Examiners
Chapter 14—Violations and Hearings**

20 CSR 2085-14.010 Violations

(Rescinded September 30, 2018)

AUTHORITY: sections 328.160 and 329.025.1, RSMo Supp. 2006 and 328.150, 329.140, 329.250 and 329.255, RSMo 2000. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Rescinded: Filed March 5, 2018, effective Sept. 30, 2018.

20 CSR 2085-14.020 Hearings and Review

(Rescinded September 30, 2018)

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